

COMMISSION MEETING AGENDA
January 17, 1991 - 10:00 a.m.
Holiday Inn On-the-Bay
West Coast Room
1355 North Harbor Drive
San Diego, CA 92101
(619) 232-3861

CALL TO ORDER

FLAG SALUTE

ROLL CALL OF COMMISSION MEMBERS

INTRODUCTIONS

APPROVAL OF MINUTES

- A. Approval of the minutes of the November 1, 1990 regular Commission meeting at the Radisson Hotel in Sacramento.

CONSENT CALENDAR

B.1 Receiving Course Certification Report

Since the November meeting, there have been 27 new certifications, 1 decertification, and 32 modifications. In approving the Consent Calendar, your Honorable Commission receives the report.

B.2 Receiving Financial Report - Second Quarter FY 1990/91

The second quarter financial report will be provided at the meeting for information purposes. In approving the Consent Calendar, your Honorable Commission receives the report.

B.3 Receiving Information on New Entries Into the Public Safety Dispatcher Program

Procedures provide that agencies that have expressed willingness to abide by POST Regulations and have passed ordinances as required by Penal Code Section 13522 may enter into the POST Reimbursable Public Safety Dispatcher Program pursuant to Penal Code Sections 13510(c) and 13525.

In approving the Consent Calendar, your Honorable Commission notes that since the November meeting, 15 agencies listed in the enclosed report have met the requirements and have been accepted into the POST Reimbursable Public Safety Dispatcher Program. These new entrants bring to 280, the number of agencies joining the program since it began July 1, 1989.

B.4 Setting Command College Tuition for Non-Reimbursable Agencies

At the January 1987 meeting, the Commission adopted a Command College tuition for all non-reimbursable agencies. Staff was instructed to annually review the tuition and to report to the Commission each January with the recommended tuition for classes beginning in the coming year. The tuition for classes starting the two-year program in 1990 was \$3,638. It is recommended the tuition for classes beginning the program in 1991 be increased \$109 to \$3,747 for the two-year program. Analysis of costs is included in the report under this tab.

In approving the Consent Calendar tuition, your Honorable Commission receives the report and sets the new tuition rate of \$3,747, effective for Classes 16 and 17.

B.5 Adopting a Resolution Commending Commissioner Floyd Tidwell

In approving the Consent Calendar, your Honorable Commission adopts a resolution commending Floyd Tidwell for his service to the advancement of law enforcement through standards and training as a peace officer, an Advisory Committee member, and as a POST Commissioner, on the occasion of his retirement from the San Bernardino County Sheriff's Department following a distinguished career culminating with his serving eight years as County Sheriff.

B.6 Adopting a Resolution Commending Former Sheriff John Duffy

In approving the Consent Calendar, your Honorable Commission adopts a resolution commending John Duffy for his outstanding contributions to law enforcement and to the people of California on the occasion of his retirement as Sheriff of San Diego County.

PUBLIC HEARINGS

C. Receiving Testimony on the Proposal for Training Standards for the P.C. 832 Course

Pursuant to Penal Code Section 832 mandating an introductory training course for peace officers, POST requires a minimum 24-hour Arrest Course and for those peace officers who carry firearms an additional 16-hour Firearms Course for a total 40-hour requirement. POST also currently recommends that peace officers who make arrests complete an additional 16-hour Communications and Arrest Methods Course.

Course hours have remained the same since inception of the requirement in 1973. Four factors have emerged that suggest it is timely to update POST's requirements for the course:

1. recent informal legal advice to POST has suggested that this training requirement rests upon the individual (rather than an agency) and should not be considered a state mandated/reimbursable program;
2. the need expressed by school peace officers for increased officer safety related training as part of the PC 832 course;
3. the availability of the POST P.C. 832 Interactive Video Disc (IVD) Training Program now provides a convenient means to expedite instruction for this course; and
4. virtually all (97%) of the existing P.C. 832 Course presenters exceed the minimum POST hourly and curriculum requirements with most including the proposed curriculum additions.

The proposal before the Commission is to: (1) Combine the now optional Communications and Arrest Methods Course and the required Arrest Course, bringing that module from 24 to 40 hours; (2) increase the time required for the Firearms Course from 16 to 24 hours; (3) include a skill test requirement for arrest methods [handcuffing, person search and weaponless defense]; and (4) revise the Level III Reserve Course requirement to maintain consistency with the proposed P.C. 832 requirement.

As proposed, the course will increase from the present 91 to 103 performance objectives. In addition, 12 "learning experiences" are identified in the new course which do not qualify as performance objectives because their nature makes testing impractical. In these instances, instruction is required but not tested as such.

With these changes, the total course requirement would increase from 40 to 64 hours. Of course, trainers using the IVD 832 courseware could expect this training to be completed in less time.

To accomplish the above curriculum and hourly changes, it is proposed that: (1) Commission Regulation 1081, Minimum Standards for Approved Courses, be amended; (2) Commission Regulation 1080, PC 832 Course Testing Requirements for the firearms skill testing be expanded to include arrest methods; and (3) Commission Procedures H-3 and H-5 (Reserve Officer Training Requirements) be amended to modify Module A (Level III Reserves) by deleting reference to the 16-hour Communications and Arrest Methods Course and reflecting the above changes.

An implementation date of July 1, 1992 is proposed to allow for planning by training presenters and for POST test development.

Subject to the results of the public hearing, the appropriate MOTION would be to approve the recommended changes to Commission Regulations 1080-1081 and Procedures H-3 and H-5 to implement updating the curriculum, hourly and testing requirements for the P.C. 832 Course, effective July 1, 1992.

D. Receiving Testimony on Proposal to Revise Graduation Requirements for the Regular Basic Course

Current graduation requirements for the Regular Basic Course are defined in terms of performance objectives which the trainee must master. The majority of the performance objectives require demonstration of a knowledge; others require demonstration of a psychomotor skill. Each of the over 600 performance objectives which comprise the course is assigned to one of twelve broad categories called functional areas, and is designated a "success criterion" of either 70%, 80%, 90%, or 100%. In order to graduate, a trainee must, for each of the twelve functional areas, demonstrate mastery of 70% of the 70% objectives, 80% of the 80% objectives, and so on. Each academy is responsible for developing its own testing procedures and for determining whether a given trainee meets the graduation requirements.

The "success criterion" approach has proven to be difficult to administer, and suffers from a number of other shortcomings. In 1985, with the approval of the Commission, work was begun on developing and field testing an alternative - the "knowledge domain" approach. Under this approach, performance objectives which call for demonstration of knowledge are distinguished from those which call for demonstration of psychomotor skills. Each individual psychomotor skill objective is treated as a "must pass" objective, whereas the knowledge objectives are grouped into "knowledge domains" based on similarity of subject matter, and the trainee must pass a separate test for each such "knowledge domain".

Initial field testing of the "knowledge domain" approach was conducted in three academies, and included pilot testing of a POST-developed computerized system which permits local academies to download "knowledge domain" tests that have been developed and maintained by POST, and are stored on a "host" computer at POST headquarters. Results of the initial pilot test were very promising, and in November 1988 the Commission granted approval to extend field testing to all interested academies. Results of the extended field test, which involved 26 academies, were also very favorable, and in July

1990 the Commission scheduled a public hearing for January 1991 to receive public comment on a proposal to replace the current "success criterion" system for determining successful completion of the Regular Basic Course with the "knowledge domain" system.

Specifically, the proposal calls for changes in Commission Procedure D-1 which would require that effective October 1992:

1. All trainees must demonstrate mastery of each individual psychomotor skill performance objective, with mastery of each such objective determined by the local academy.
2. All trainees must pass a POST-developed test for the knowledge performance objectives which make up each "knowledge domain", with the minimum passing score on each such test determined by POST.
3. Any trainee who fails the initial test for a psychomotor skills objective will be permitted only one opportunity to retest, except in those instances where the trainee's test performance upon retesting was "marginal", in which case the trainee may be provided an additional retest. "Marginal" performance is defined as test performance that does not clearly demonstrate mastery or lack of mastery of a psychomotor skill.
4. Any trainee who fails an initial "knowledge domain" test will be permitted only one opportunity to retest, except in those instances where the trainee missed instruction related to the test due to an academy-approved absence, in which case the trainee may be permitted an additional retest.

The proposed changes represent a significant step toward greater standardization in basic training. For the first time, all trainees, regardless of academy attended, would be required to take the same tests and achieve the minimum passing scores for all knowledge-oriented performance objectives.

Subject to the results of the public hearing, the appropriate action would be a MOTION to adopt the proposed changes to the current graduation requirements for the Regular Basic Course.

CENTER FOR LEADERSHIP DEVELOPMENT

E. Report and Recommendation to Establish Tuition for Officers of Non-Reimbursable Agencies Attending the Supervisory Leadership Institute

The Supervisory Leadership Institute began its first pilot class in 1988. Since that time six additional classes have been conducted. These first seven classes consisted of sergeants from reimbursable agencies only. Classes eight through thirteen have now been selected. These new classes each contain one sergeant from a non-reimbursable agency.

At the January 1987 meeting, the Commission designated a tuition be charged for all eligible, non-reimbursable agencies desiring to send participants to the Command College. An increasing number of non-reimbursable agencies are now expressing an interest in sending participants to the Supervisory Leadership Institute as well.

The direct Supervisory Leadership Institute cost per participant in 1990 is \$1568. It is recommended that a tuition be established for non-reimbursable agencies, as is the case with the Command College, to cover the direct costs for participation in the Supervisory Leadership Institute. There is no provision in current state law for the Commission to waive or ignore this as it would constitute reimbursement to non-reimbursable agencies.

This is before the Commission as an initial item. In future years, tuition costs for the Supervisory Leadership Institute would be evaluated and reported annually to the Commission.

If the Commission concurs, the appropriate action would be a MOTION to designate a tuition of \$1568 be charged all eligible, non-reimbursable agencies desiring to send participants to the Supervisory Leadership Institute beginning in January 1991 and to direct staff to submit a report annually thereafter with recommendations for setting the tuition rate for the coming year.

STANDARDS AND EVALUATION

F. Report on POST Program to Recognize Physically Fit Peace Officers

Pursuant to direction received from the Commission, staff has completed work on the development of a program for recognizing officers who achieve and maintain exemplary levels of physical fitness. As designed, officer participation in the program would be voluntary, and local agency personnel would be responsible for all aspects of

program administration, including all fitness testing. POST's role would be primarily that of training individuals to serve as local agency program administrators.

The program is described in a coordinator's manual and in a detailed officer's manual, draft copies of which are provided under separate cover.

As proposed under the program, an officer could qualify for a bronze, silver, or gold "award", depending on his/her performance on each of a series of adult fitness tests relative to his/her age and gender group. The tests are:

1. 1.5 Mile Run (or 3 Mile Walk)
2. Number of Push-Ups (no time limit)
3. Number of Abdominal Crunches (1 minute time limit)
4. Sit and Reach Test (measure of low back flexibility)
5. Waist-to-Hip Ratio
6. Percent Body Fat (optional - would apply only when agency has access to someone who is skilled in measuring skinfolds)

Test performance at or above the 60th percentile on all items would be required to receive the bronze "award"; performance at or above the 70th percentile on all items would qualify for the silver "award"; and performance at or above the 80th percentile on all items would qualify for the gold "award". In addition, passage of a written exam of fitness concepts and principles would be required at all levels. A further requirement for receipt of the two highest "awards" would be abstinence from the use of all tobacco products - for a period of at least two months in the case of the silver "award", and for a period of at least one year in the case of the gold "award".

In its current form, the program calls for POST to issue a certificate of achievement to those officers who qualify at any of the three fitness levels, and would further issue a lapel pin to those who qualify for the gold "award". All certificates/lapel pins would be issued on a yearly basis.

The program as described is in final draft form at this stage. With the approval of the Commission, staff will field test the program in a few selected agencies during the coming months. Field testing will serve to further verify adequacy of all administrative procedures and to provide better

normative data supporting the correlation of performance scores to percentile levels.

Prior to release of the program, Commission approval is of course necessary. And, consideration must be given to whether the program should include POST administration of the awards or whether the program should simply be published for agency use with no further POST involvement. Considerable interest exists in POST administration of awards because it would assure statewide standardization. However, such potential POST involvement raises policy and budgetary considerations requiring evaluation. The Commission may wish to ask the Long Range Planning Committee to review those issues.

If the Commission concurs, the appropriate action would be a MOTION to receive the report and authorize limited field testing of the program, and to ask the Long Range Planning Committee to evaluate and report back on the potential for POST involvement in recognizing officers who satisfy the fitness criteria enumerated in the program.

G. Recommendation to Approve an Interagency Agreement with City of Los Angeles for Assistance of Dr. Robert Goldberg in Revising the POST Medical Screening Manual

The POST Medical Manual for California Law Enforcement provides guidance to local agencies with respect to the medical pre-screening of peace officer applicants. The document, which is used by many agencies, has not been updated since 1977 and is in need of major revision. An interagency agreement is proposed with the City of Los Angeles for an amount not to exceed \$26,000. The contract monies would be used to reimburse the city for the services of Dr. Robert Goldberg for a period of up to 55 days. Dr. Goldberg, who is an expert in occupational health and safety for the city, would assist POST staff in the revision of the manual. Dr. Goldberg is extremely well qualified to provide the desired services, and is thoroughly familiar with the current POST manual.

If the Commission concurs, the appropriate action would be a MOTION to approve an interagency agreement with the City of Los Angeles for an amount not to exceed \$26,000 to assist in revising the POST medical screening manual. (ROLL CALL VOTE)

TRAINING PROGRAM SERVICES

H. Report on Community College ADA Cap Study

At the July 1990 Commission meeting, the POST Advisory Committee reported that the community college funding Cap for

POST certified courses may be adversely affecting the ability of community college POST-certified presenters to meet law enforcement training needs. Due to the significant number of POST-certified courses presented through community colleges, this could have a major impact on POST in meeting training requirements. As a result of these concerns, the Commission directed staff to study the ADA Cap issue.

A survey was conducted of 58 POST-certified community college presenters. Of those responding, the majority indicated they perceive a problem but the related data reflected that problem has not reached its fullest impact on law enforcement training programs. The survey clearly indicates that most of the respondents favor pursuing an exemption from the ADA Cap but the consensus is that most forecast the real impact will not be felt until the end of the current fiscal year. Despite some documented problems, the majority of colleges are not suffering from the curtailment of existing course presentations.

It appears reasonable that the Commission not seek or support legislative relief from the ADA Cap at this time, but direct staff to continue monitoring the situation.

If the Commission concurs, the appropriate action would be a MOTION to direct staff to continue to monitor the impact of the community college ADA Cap and report back should action appear warranted.

I. Recommendation to Update the Curriculum of the POST
Requalification Course Curriculum Update

The Requalification Course was approved by the Commission effective January 1, 1988. The course was established as a Basic Course refresher for former officers with a three-year or longer break in service and for those not yet employed three or more years after they had completed the Basic Course. The original 80-hour refresher course (designed to emphasize critical skills and to include testing) was expanded to 120 hours on January 1, 1990 in order to include all recent statutory mandates for basic training. The report under this tab describes proposed curriculum adjustment for this course. Adjustments are intended to add statutory mandates enacted since the course was last revised. The new mandates are: Sudden Infant Death Syndrome Awareness; Handling the Developmentally Disabled/Mentally Ill (DDMI); Proposition 115 - Hearsay Testimony; and Carcinogenic Substances.

The proposed added curriculum would require six hours of instruction. It is proposed that these new topics be

accommodated within the overall 120 hours by adjusting hours by topics as described in the report.

If the Commission concurs, the appropriate action would be a MOTION to approve the proposed changes effective immediately.

MANAGEMENT COUNSELING

J. Recommendation to Approve a Feasibility Study Report Regarding Return to Custody Facility Corrections Officers

Assembly Bill 3401 (Waters) was chaptered as an emergency statute and became effective in September 1990. The law added Section 830.55, Penal Code, to create a new peace officer category, Local Correctional Officer. The law also contained a requirement that the Commission study this new peace officer category to determine "the appropriate powers and authority" and report to the Legislature no later than March 15, 1991. Requirement for Commission study was included in the law because the Commission has responsibility to report on all proposals for new peace officer classifications under P.C. Section 13540.

The complete agenda item report will be mailed under separate cover. The completion of the study and report is delayed because facilities and local correctional officers were not in place until November 1990.

Sections 2910 and 2910.5, Penal Code, permit the California Department of Corrections to contract with a city or county to operate a Return to Custody (RTC) facility. A RTC is designed specifically to incarcerate parole violators and state prison inmates. Section 2910.5 (b), as amended, requires a RTC to be staffed with peace officers who are defined in 830.1 PC or 830.55 PC.

The focus of this study is limited to the creation of a new classification of peace officers under Section 830.55, PC. The study is directed to determine the "appropriate powers and authority" of the new category of local correctional officers. As a result, the limited scope of the study does not include local jails, nor management and staffing practices within local jails.

Six cities and counties with plans to operate a RTC under contract with the Department of Corrections. The first facility, operated by the City of Folsom, opened in mid-November 1990 but will not be fully staffed or operational until January 1991. The second facility, operated by the City of Shafter, opened in late December 1990 but will not be fully staffed or operational until February 1991. The remaining facilities will open in mid-1991 and later.

The report now being finalized will conclude the described powers and authority are appropriate for the tasks and duties in a Return to Custody facility.

If the Commission concurs, the appropriate action would be a MOTION to authorize submittal of a complete report to the Legislature no later than March 15, 1991.

EXECUTIVE OFFICE

K. Report on ACR 58 Implementation

The Commission asked that the ACR 58 Report be placed on this agenda for purposes of review and for an opportunity to begin coordination of implementation plans. The Long Range Planning, Legislative Review and Finance Committees will each have considered this matter at their respective meetings and will be prepared to comment. The Advisory Committee will also have reviewed the final report. This matter is before the Commission for discussion.

The completed ACR 58 report has been forwarded separately and may be referred to during discussion. A ten-minute video tape introducing the ACR 58 vision to law enforcement is being completed and should be available for review at the Commission meeting. Copies of the report and the video tape may be made available to the Governor, each legislator, heads of law enforcement agencies, PORAC, CPOA, CPCA, CSSA, and others, as appropriate.

The next most immediate step is adoption of legislation recommended by the ACR 58 Committee. Beyond that, work on each of the major areas identified in the report are at various respective stages of development and can be discussed. If the Commission concurs, the appropriate action would be reflected by committee recommendations and should include authorization to distribute the report and video.

COMMITTEE REPORTS

L. Long Range Planning Committee

Commissioner Tidwell, Chairman of the Long Range Planning Committee, will report on the Committee meeting held January 16, 1991 in San Diego.

M. Finance Committee

At each January meeting, the Commission receives a Committee report on major training and administrative contracts planned for the upcoming fiscal year. Information regarding these

contracts is presented in order to obtain the Commission's approval to negotiate and return the proposed contracts for final approval at the April 1991 Commission meeting. The Chairman of the Finance Committee will report on the meeting held January 16, 1991 and make recommendations regarding authorizing the Executive Director to negotiate contracts for services as outlined below. The contracts will be brought back for approval to sign at the April meeting.

Assuming favorable recommendations of the Finance Committee, the appropriate action, if the Commission concurs, would be a MOTION to authorize the Executive Director to negotiate the contracts and return them to the April meeting for formal approval.

Proposed contracts to be negotiated for Fiscal Year 1991/92:

1. Management Course

This course is currently budgeted at \$326,275 for 22 presentations by 5 presenters.

California State University - Humboldt
California State University - Long Beach
California State University - Northridge
California State University - San Jose
San Diego Regional Training Center

Course costs are consistent with Commission guidelines and performance by all five presenters has been satisfactory. Staff anticipates some increases over FY 1990/91 due to increased costs for instructors, coordination, facilities, and materials. No additional presenters are planned for 1991/92.

2. Executive Development Course

This course is currently presented by California State Polytechnic University, Pomona. In the 1990/91 FY, the course was revised and reformatted. A pilot program is scheduled for January 1991, and two additional courses are scheduled prior to June 1991, at a cost of \$97,490 including development costs. Course costs are consistent with POST guidelines, and the performance of the presenter has been satisfactory. Five presentations are being requested for 1991/92 FY, with an anticipated cost per presentation of \$23,736.

3. San Diego Regional Training Center - Support of Executive Training Including the Command College

The San Diego Regional Training Center serves as the primary contractor for a variety of management and executive training activities of the Commission conducted by the Center for Leadership Development. Curriculum development as well as instructional and evaluation costs for these training activities for FY 1990/91 was \$395,046. In FY 1991/92, ten additional executive seminars are anticipated, and a review and redesign of the Management Course is planned. Staff anticipates there will be increased costs in the 1991/92 contract to accommodate these additional activities.

4. CSU Long Beach - Support of the POST Supervisory Leadership Institute

The CSU Long Beach Foundation provides administrative services for the Supervisory Leadership Institute. This includes training site support; ordering materials; paying instructors and auditors; and purchasing equipment. Costs for these services in FY 90/91 were \$287,572.

Overwhelming support and interest in this course will result in six classes during 1991/92 FY, with some anticipated increased costs for the instructional and administrative services reflected in this contract.

5. Cooperative Personnel Services - Basic Course Proficiency Examination

POST has contracted with Cooperative Personnel Services for administration of the POST Proficiency Examination in each of the last ten years. The current year contract is for \$31,266.

Approval is requested to negotiate a similar contract with Cooperative Personnel Services for fiscal year 1990/91 for an amount not to exceed \$34,000. The anticipated cost increase is based on a modest increase in Basic Course graduates and labor and shipping cost increases of approximately 7%.

6. Cooperative Personnel Services - Entry-Level Reading and Writing Test Battery

POST has contracted with Cooperative Personnel Services for administration of the POST entry-level reading and writing test battery since 1983. The current year contract is for \$92,000.

Approval is requested to negotiate a similar contract with Cooperative Personnel Services for fiscal year 1990/91 for an amount not to exceed \$98,500. The anticipated cost assumes labor and shipping cost increases of approximately 7%.

7. Cooperative Personnel Services - P.C. 832 Written Examination

POST has contracted with Cooperative Personnel Services for administration of the P.C. 832 Written Examination in each of the last two years. The current year contract is for \$71,500. The anticipated cost increase assumes labor and shipping cost increases of approximately 7% and includes a \$5,000 line item for pilot administration of new test items that will be needed to address anticipated additions to the course curricula.

Approval is requested to negotiate a similar contract with Cooperative Personnel Services for fiscal year 1990/91 for an amount not to exceed \$71,500. The relative cost decrease is attributable to the growing number of P.C. 832 course presenters who have requested and been granted authority to administer the test locally.

8. State Controller's Office - Agreement for Auditing Services

Each year POST has negotiated an Interagency Agreement with the State Controller's Office to conduct audits of selected local jurisdictions which receive POST reimbursement funds. The Commission approved an agreement not to exceed \$85,000 for the current fiscal year.

Approval is requested to negotiate a similar agreement to maintain current level of service for Fiscal Year 1991-92.

9. Computer Services Contract - Teale Data Center

POST has an Interagency Agreement with Teale Data Center (a state agency) for computer services. The contract provides a link between POST's computer and the Data Center's mainframe computer. This allows POST to utilize the mainframe's power for complex data processing jobs and the storage of large data files that require more resources than POST's minicomputer can provide. The current year contract is for \$89,000.

Approval is requested to negotiate an Interagency Agreement with the Teale Data Center for computer services

in 1990/91 for an amount similar to the current year's costs.

10. CALSTARS Contract, 1991/92

The mandated California Accounting and Reporting Systems (CALSTARS) requires an agreement with the Health and Welfare Data Center to provide computer linkage and necessary data processing services. The Commission approved a current year contract in an amount not to exceed \$25,000.

Approval is requested to negotiate a similar agreement to maintain the current level of required service for Fiscal Year 1991-92.

11. San Diego State University for Satellite Video Broadcasts

POST currently has an interagency agreement with San Diego State University for \$24,000 for the production and satellite transmission of videotape training programs during 1990/91. It is requested that this interagency agreement be continued in the amount of \$24,000 for similar services during 1991/92.

Approval is requested to negotiate a similar agreement with San Diego State University for four satellite broadcasts for Fiscal Year 1991-92.

12. Department of Justice - Training Center

The Department of Justice has provided training to local law enforcement through an Interagency Agreement with POST since 1974. During Fiscal Year 1990-91, the amount allocated to this training was \$870,933 which included a mid-year supplement to provide additional narcotics training. For this amount, the Department of Justice agreed to train 3,671 students in 21 separate courses.

It is proposed that the Department of Justice conduct generally the same training programs in Fiscal Year 1989/90 for a similar financial commitment by POST.

13. Cooperative Personnel Services - Public Safety Dispatcher Basic Training Equivalency Examination

POST has contracted with Cooperative Personnel Services for administration of the Public Safety Dispatcher Basic Course Equivalency Examination during this, the initial year of the testing program. The current year contract is for \$26,217.

- . Approval is requested to negotiate a similar contract with Cooperative Personnel Services for fiscal year 1991/92 for an amount not to exceed \$14,300. The decrease is due to an anticipated reduction in testing volume as the number of dispatchers eligible for testing declines.

N. Legislative Review Committee

Commissioner Block, Chairman of the Commission's Legislative Review Committee, or his representative, will report on the Committee meeting held January 17, 1991 in San Diego.

O. Advisory Committee

John Clements, Chairman of the POST Advisory Committee, will report on the meeting held January 16, 1991 in San Diego.

OLD/NEW BUSINESS

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

April 18, 1991 - Sacramento - *Holidome - mahson / I-80*
July 18, 1991 - Marriott Mission Valley - San Diego
November 7, 1991 - Holiday Inn Capitol Plaza - Sacramento
January 16, 1992 - San Diego

ADJOURNMENT

COMMISSION MEETING MINUTES
November 1, 1990
Radisson Hotel
Sacramento, CA

The meeting was called to order at 10:10 a.m. by Chairman Tidwell.

Commissioner Carm Grande led the flag salute.

ROLL CALL OF COMMISSION MEMBERS

A calling of the roll indicated a quorum was present.

Commissioners Present:

Sherman Block
Edward Hunt
Carm J. Grande
Ronald Lowenberg
Raquel Montenegro
Richard L. Moore
Alex Pantaleoni
Floyd Tidwell
John Van de Kamp
Robert L. Vernon
Robert Wasserman

Commissioners Absent:

Edward Maghakian

POST Advisory Committee Members Present:

Charles Brobeck
Jay Clark
John Clements
Don Forkus
Dolores Kan
Marcel Le Duc
Joe McKeown
Carolyn Owens

Staff Present:

Norman C. Boehm, Executive Director
Glen Fine, Deputy Executive Director
Hal Snow, Assistant Executive Director
Ron Allen, Bureau Chief, Training Delivery Services
John Berner, Bureau Chief, Standards and Evaluation
Mike DiMiceli, Bureau Chief, Management Counseling
Jack Garner, Consultant, POST
Holly Mitchum, Bureau Chief, Information Services
Ken O'Brien, Bureau Chief, Training Program Services

Otto Saltenberger, Bureau Chief, Administrative Services
Darrell Stewart, Bureau Chief, Special Projects
Doug Thomas, Bureau Chief, Center for Leadership Development
Vera Roff, Executive Secretary
Ken Whitman, Consultant, POST
Neil Zachary, Consultant, POST

Visitors' Roster:

Bob Beren - Attorney General's Office
Les Clark - Sacramento Training Center
Kathy Eaton - Department of Alcoholic Beverage Control
Nolice Edwards - PORAC
Jim Ferronato - San Bernardino Sheriff's Department
Ed Hendry - Orange County Sheriff's Office
Othel Jackson - Sacramento Sheriff's Office
John Kane - Sacramento Police Department
Dave Low - California School Employee's Association
Albert Najera - Sacramento Police Department
Randy Perry - PORAC
Jerry R. Jolly - Department of Alcoholic Beverage Control
Fred Strayhorn - California Fire Marshal's Office
Steve Winther - Sacramento Sheriff's Office

A. APPROVAL OF MINUTES

MOTION - Block, second - Montenegro, carried unanimously to approve the minutes of the July 19, 1990 Commission meeting at the Marriott Mission Valley Hotel in San Diego with the correction that Commissioner Van de Kamp was present at the meeting.

B. CONSENT CALENDAR

MOTION - Wasserman, second - Moore, carried unanimously to approve the following Consent Calendar with correction on B.1 as noted: (Pantaleoni abstained on B.7. The report listed courses modified or decertified since the last Commission meeting. The Legal Update Course by CPOA was certified but was erroneously listed as decertified. The correction was noted as part of the action to approve the consent calendar.)

- B.1 Receiving Course Certification Report
(Remove Legal Update presented by CPOA from the decertification list. This was listed in error.)
- B.2 Receiving the First Quarter FY 1990/91 Finance Report
- B.3 Receiving Information on New Entries Into the POST Regular (Reimbursement) Program

- B.4 Receiving Report on Entry of California Horse Racing Board Into the Specialized POST Program
- B.5 Receiving Information on New Entries Into the Public Safety Dispatcher Program
- B.6 Receiving Status of Peace Officer Feasibility Study Program
- B.7 Approving a Resolution Commending Commissioner C. Alex Pantaleoni

Chairman Tidwell reported the resolution commending Commissioner C. Alex Pantaleoni was presented to him on August 24, 1990 at his retirement as Assistant Dean of the Department of Public Service at Rio Hondo College.

PUBLIC HEARINGS

The purpose of the public hearing was to receive testimony in regard to proposed amendments of Commission Regulations and Procedures. The hearing was divided into two parts. Part I pertained to the adoption of training standards for school police officers. Part II pertained to revisions to the Specialized Basic Investigators Course.

The public hearing was held in compliance with requirements set forth in the Administrative Procedures Act to provide public input on the proposed regulatory actions.

PART I

C. Proposal to Establish a Training Course for School Police Officers

The purpose of this portion of the public hearing was to consider establishing a training course for school police officers.

Staff reported that Senate Bill 446 of 1989, effective January 1, 1990, enacted Section 832.2 of the Penal Code which requires K-12 school and community college police officers to complete a course of training approved by POST directly related to the role of school peace officers. The course of training must be completed by school police officers who do not possess a POST Basic Certificate. The school police officer training course is required to address guidelines and procedures for reporting offenses to other law enforcement agencies that deal with violence on campus and other school related matters, as determined by POST.

It was proposed that the Commission recommend, but not require, that all school peace officers who perform general law enforcement duties should complete the Regular Basic Course prior to appointment or assignment to peace officer duties.

Following completion of the staff report, Chairman Tidwell invited oral testimony.

Dave Low, California School Employee's Association testified in support of the proposal. No one present indicated the desire to testify against the proposed action, and Part I of the public hearing was closed.

MOTION - Block, second - Van de Kamp, carried unanimously to adopt the proposed training standard for school peace officers pursuant to Penal Code Section 832.2, effective upon approval as to form and procedure by the Office of Administrative Law (Attachment A).

PART II

D. Proposal to Revise Specialized Basic Investigators Course Requirements

The purpose of this portion of the public hearing was to consider revisions to the Specialized Basic Investigators Course.

It was proposed that 58 performance objectives (PO's) added to the Specialized Basic Investigators Course curriculum. These proposed modifications are due to changes in law, additional duties performed by specialized investigators, and the desire of agency administrators for a course more specifically designed to meet the needs of specialized investigators.

Staff recommended that 28 performance objectives were be deleted because they are no longer considered relevant or required by law. They include PO's related to line-ups, discovery, vehicle operations, polygraph, informant management, and that portion of chemical agents' training pertaining to use of gas masks.

It was proposed that total Specialized Basic Investigators Course performance objectives be increased from 323 to 361, and that total testing time be increased from 11 hours to 30 hours. These changes would increase the minimum hours of the Specialized Basic Investigators Course from 220 to 340. To implement these proposals, staff recommended amending Commission Procedure D-1-6, which is incorporated into POST

Regulation 1005, to reflect these curriculum and hourly changes and to mandate performance objectives.

Following completion of the staff report, the Chairman invited oral testimony. No one present indicated the desire to testify, and Part II of the public hearing was closed.

There was discussion centering around the importance of retaining the performance objective for informant management in the course.

MOTION - Van de Kamp, second - Wasserman, carried unanimously to retain performance objectives for informant management in the Specialized Basic Investigators Course.

MOTION - Lowenberg, second - Grande, carried unanimously to adopt proposed changes with the above amendment to the Specialized Basic Investigator Course (Attachment B).

E. Recommendation to Authorize a Contract for Updating and Enhancing the POSTRAC System

In 1985, the POST Commission approved a pilot study of a new system for defining success in the basic course (i.e., the "knowledge domain" system). The Commission also allocated funds for the development of a computer program, called POSTRAC, to implement the new system.

The POSTRAC system has won the acceptance of the academies and significantly increased student scores on the POST Proficiency Examination. Five years of use have shown that several enhancements would substantially increase the program's functionality, and other changes would make the program more flexible and easier to use. Examples include updating applications development software, permitting machine readable forms, adding graphics based test items, and allowing for automatic raw score conversion, among others.

It was proposed that the Executive Director be given the authority to enter into a contract with a vendor to make the needed changes and enhancements at a cost not to exceed \$78,000.

MOTION - Wasserman, second - Pantaleoni, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to enter into a contract with a vendor to update and enhance the POSTRAC computer program at a cost not to exceed \$78,000.

F. Basic Course Testing Requirements

A public hearing has been scheduled at the January Commission meeting for the purpose of receiving comment on a proposal to require that all basic academy graduates pass a POST-developed test for each of 38 knowledge domains. The proposed effective date for the new requirement is October 1992.

At directed by the Commission, the Long Range Planning Committee reviewed the issue of passing scores and recommended Commission-mandated minimum passing scores (but not ranges) for each knowledge domain test.

The Committee further recommended that the Commission:

1. Require that students be permitted one, and only one, retest on a second POST exam for each knowledge domain test failed; and that such students be permitted reasonable opportunity to prepare prior to retesting.
2. Permit a student more than one retest for a given knowledge domain if the academy director determines that the student was prevented from taking a test on an equal basis with other students due to either: (a) illness or injury, (b) emotional trauma (e.g., death in the family), or (c) failure to receive the same instruction as other students due to factors beyond the student's control.

In addition, the Committee recommended that staff research the impact of a cumulative test performance requirement (e.g., maintaining a certain average score across all knowledge domain tests). The research would commence with the October 1992 effective date for Commission-mandated knowledge domain testing, and would take approximately one year to complete.

MOTION - Vernon, second - Van de Kamp, carried unanimously to (1) include the above described testing provisions as part of the January 1991 public hearing to mandate the POST knowledge domain tests, and (2) direct staff to conduct the proposed research to evaluate the impact of a cumulative test performance requirement.

MANAGEMENT COUNSELING

G. California Student Aid Commission - Peace Officer Feasibility Study

The California Student Aid Commission requested a peace officer feasibility study to determine whether their

investigators should be designated as peace officers. The Student Aid Commission administers the student aid loan program, which includes both State and Federal funds.

The staff study concluded that the nature of the investigative function (a necessary and integral responsibility of the Student Aid Commission) does not require or warrant broad and general peace officer powers and authority. The report recommended the Student Aid Commission consider legislative action to grant the investigators the specific, limited peace officer authority that is described in Section 830.11, Penal Code. Persons named in this statute are not peace officers but may exercise limited powers otherwise reserved to peace officers.

MOTION - Montenegro, second - Grande, carried unanimously to approve the study and authorize submittal of a report to the Student Aid Commission and to the Legislature.

CENTER FOR LEADERSHIP DEVELOPMENT

H. Approval of Augmentation to the Supervisory Leadership Institute (SLI) Contract

Staff reported that the Supervisory Leadership Institute (SLI) continues to receive outstanding reviews from participants and department heads alike. There are currently over 225 applicants awaiting assignment to classes.

The current contract with the CSU Long Beach Foundation for support of the SLI provides for four new classes to start in early 1991. By augmenting the contract in the amount of \$91,638, two additional classes could be started this fiscal year. The augmentation would increase the total contract from \$195,934 to \$287,572 for FY 1990/91.

MOTION - Pantaleoni, second - Wasserman, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to enter into an agreement to augment the contract with the CSU Long Beach Foundation to provide administrative assistance for two additional classes of the Supervisory Leadership Institute in an amount not to exceed \$91,638 for the augmentation for a total contract in FY 1990-91 not to exceed \$287,572.

I. Approval of Report to Legislature on Study of Advance Law Enforcement Education (SB 457)

Senate Bill 457 (Sterling) authorized the Commission to conduct a study to determine the possibility of instituting

an Advanced Command Police Academy. Legislative intent was to explore the need to establish a uniform curriculum throughout the State where officers could obtain a master's or higher degree.

The study concluded that a long-standing need has existed for an advanced educational program for law enforcement. UC Irvine has expressed strong interest in such a program. If legislative interest in pursuing the sense of SB 457 exists, the study recommends that the Legislature direct the CSU/UC systems to develop such a program. POST's role would be to act as a standing curriculum consultant or resource in the development and operation of the degree program.

MOTION - Vernon, second - Grande, carried unanimously to approve the study and its findings and authorize its submittal to the Legislature.

J. Approval of Contracts to Present a Revised Executive Development Course

The Commission previously approved changing the format of the Executive Development Course from an 80-hour block to three separate workshops. Content of the Executive Development Course has also been under study and review.

Input from law enforcement administrators and private consultants suggests the need to change the course from a traditional lecture format to a more student participative skill development program. Future presentations would emphasize the role of the executive as a change agent with responsibilities for influencing and implementing internal and external change. Course presentation will emphasize a facilitated workshop approach with students expected to undertake projects between program sessions. Projects would be based upon real issues involving change pertaining to each student's department.

Staff proposed a pilot presentation of the revised course be presented with unexpended funds in the 89/90 FY Executive Development Course contract. Costs would include program development/instructor selection, pilot evaluation, and direct presentation costs. It was further proposed that two presentations in addition to the pilot be funded for this Fiscal Year. Overall costs would be covered by extending last year's contract with \$62,490 unexpended, and augmenting that contract with an additional \$35,000.

MOTION -Grande, second - Lowenberg, carried unanimously by ROLL CALL VOTE to approve (1) revisions to the Executive Development Course; (2) extend the FY 89/90 contract with Cal-Poly Pomona for Executive Development Course

presentations through June 30, 1991 to provide for current year developmental, evaluation, and presentation costs; and (3) augmenting that contract with Cal-Poly Pomona in an amount not to exceed \$35,000 to provide overall funding for one pilot and two additional presentations.

EXECUTIVE OFFICE

K. Approval of Request for Proposal (RFP) on Developing an Interactive Videodisc Training (IVD) Program on First Aid for Law Enforcement

It was proposed the Commission authorize the Executive Director to prepare and distribute a Request For Proposal (RFP) to develop an interactive videodisc (IVD) First Aid Training Program for Law Enforcement. The proposed IVD program would permit satisfaction of both the initial 21-hour training requirement and 12-hour retraining requirement. Approximately 20 lessons would include the EMS-required curriculum and some additional POST-required topics.

MOTION - Moore, second - Wasserman, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to prepare and distribute a RFP for developing an IVD Training Program on First Aid for Law Enforcement at a cost not to exceed \$350,000 and report back on the recommended developer by the April 1991 meeting.

L. Report on Potential Availability of Surplus Military Facilities for Law Enforcement Training

Mather Air Force Base in Sacramento is scheduled for closure in 1993. Sacramento County has a commission studying future uses of the base. The base includes a major "education complex" which would make an outstanding regional law enforcement training center. The Sacramento Sheriff's Department, Sacramento Police Department, and Los Rios Community College District recommend that POST be a party to a joint proposal to obtain the "education complex." Such a proposal could take several organizational forms, using joint powers agreements, interagency agreements, and/or contracts. Beyond the general merits of acquiring regional training facilities, there is potential to acquire office space for POST and classroom space for the Command College, the Supervisory Leadership Institute, and other programs and demonstration projects suggested in the ACR 58 Report.

MOTION - Vernon, second - Van de Kamp, carried unanimously to authorize the Executive Director to continue to explore utilization of the Mather facility and to submit a proposal to the Governor's Office.

M. Review of Reimbursement Rates

Commission policy is to review the salary reimbursement rate on a quarterly basis and adjust as circumstances permit. In July of this year, the Commission acted to approve various budget proposals including a proposal that would augment, from reserves, the current training reimbursement budget by \$3.5 million.

MOTION - Wasserman, second - Vernon, carried unanimously to increase salary reimbursement rate from 25% to 30% for the Basic Course and from 35% to 40% for other eligible courses, contingent upon approval of a \$3.5 million budget augmentation from reserves.

COMMITTEE REPORTS

N. Long Range Planning Committee

Chairman Tidwell, who also serves as Chairman of the Long Range Planning Committee, reported that the Committee met on October 2 in San Bernardino. In addition to agenda items addressed earlier, the Committee made the following suggestions:

1. Ethics Training

Committee members were provided an update on staff work currently in progress. Video vignettes containing ethical behavior messages are being developed and reviewed. After initial videos are produced, they will be brought to the committee for review.

The committee discussed the possibility of developing a POST publication to cover the entire area of values, ethics, and integrity evaluations. There was consensus that staff should evaluate the potential for a publication and report back.

2. Drug Screening

The Committee reviewed the survey instrument to be mailed to all California law enforcement agencies seeking information on current practices and views concerning pre-employment drug screening. There was consensus that the survey will yield valuable information and help formulate a direction for future consideration by the Commission.

There was consensus to accept the Committee's report.

O. Legislative Review Committee

Commissioner Block, Chairman of the Legislative Review Committee, reported the Committee met just prior to the Commission meeting and reviewed the results of the 1990 Legislative Session. The Committee recommended the Commission support the following proposed legislation:

1. POST Certificate Revocation - Seek reintroduction in 1991 of legislation making it permissive for POST to cancel certificates for certain misdemeanor convictions involving moral turpitude as defined (using language previously approved by the Commission).
2. Funding for Dispatcher Training from 911 Fund - Introduce legislation to require that a yet to be determined percentage of the revenue going to the 911 Fund be allocated to the Peace Officer Training Fund for the training of dispatchers.
3. Three-Year Break in Service for P.C. 832 Course - Introduce legislation requiring retraining or retesting for those P.C. 832 Course graduates who do not become employed within three years or who have a three-year break in service as a peace officer required to complete the training. Fee charging authority for POST would be included.
4. Technical Cleanup of P.C. 830.6 - Determine whether the California State Sheriffs' Association is interested in introducing legislation to modify P.C. Section 820.6(a) to clarify "a reserve deputy sheriff" so as to clear up confusion about what is meant by this section.
5. ACR 58 Follow-Up - Introduce legislation to add P.C. 13508 to require POST to develop an implementation plan that incorporates modern instructional technology and special facilities into law enforcement training.

MOTION - Block, second - Lowenberg, carried unanimously to affirm the Legislative Review Committee's recommendation for proposed legislation for 1991.

P. ACR 58 Study Committee

Commissioner Block, who also chairs the ACR 58 Study Committee, informed the Commission the report has been completed and recommended endorsing the report and the recommended courses of action.

The ACR 58 Study Committee will meet on December 11, 1990 for a final review of the report and will submit it to the Legislature in January.

MOTION - Block, second - Montenegro, carried unanimously to support the report and recommended courses of action.

Q. Advisory Committee

John Clements, Vice Chairman of the POST Advisory Committee, reported that the Committee met on October 31, 1990 in Sacramento. The Committee strongly endorsed the concept of the ACR 58 Study Report and commended the committee and staff on the quality of the report.

The Committee also expressed support for the drug testing survey and the Supervisory Leadership Institute program.

The Advisory Committee held election of officers. John Clements, California Highway Patrol representative, was elected Chairman, and Dolores Kan, Women Peace Officers' Association of California, (WPOA) Inc., representative, was elected Vice Chair.

It was also reported that Dolores Kan, Captain of the Bay Area Rapid Transit Police Department, has been chosen as the outstanding woman peace officer of the year by WPOA.

OLD/NEW BUSINESS

R. Chairman Tidwell announced the appointment of Judith Valles as a public member to the Advisory Committee for a term to expire September 1993. Ms. Valles has over 30 years professional experience in the field of education and is currently serving as President of Golden West College in Huntington Beach.

S. Roger M. Moulton, Chief, Redondo Beach Police Department, sent a letter requesting that POST explore the possibility of forming some sort of partnership with Law Enforcement Television Network (LETN) for the delivery of certain mandated California training.

The Commission referred this item to the Long Range Planning Committee for review.

T. James A. Cost, Chief, City of Campbell, wrote expressing appreciation to the Commission for information received as a result of the recruitment workshop held last year in San Diego. This item was for information only.

The Executive Director reported on changes that need to be considered at the January public hearing on the P.C. 832 Introduction to Law Enforcement (Arrest and Firearms) Course. Proposed modifications to the proposal include: (1) reducing proposed total course hours from 76 to 64; and (2) requiring learning experiences rather than performance objectives in certain instructional areas.

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

January 17, 1991 - Holiday Inn-on-the-Bay - San Diego

April 18, 1991 - Holiday Inn Holidome - Sacramento

July 18, 1991 - Marriott Mission Valley - San Diego

November 7, 1991 - Holiday Inn Capitol Plaza - Sacramento

ADJOURNMENT - 12:20 p.m.

NOTE: THIS THIS LANGUAGE IS PREDICATED UPON APPROVAL OF THE OFFICE OF ADMINISTRATIVE LAW OF PUBLIC HEARINGS HELD JANUARY 18, 1990 AND JULY 19, 1990, AND PROPOSED REVISIONS WITH NO PUBLIC HEARINGS SCHEDULED AND PUBLISHED IN THE NOTICE REGISTER FEBRUARY 23, 1990 AND AUGUST 24, 1990.

PROPOSED LANGUAGE FOR REGULATION CHANGE

1081. Minimum Standards for Approved Legislatively Mandated Courses.

(1) - (19) ****

(20) School Peace Officer (Penal Code Section 832.2) 32 Hours

- A. Role of School Peace Officers
- B. Laws Impacting School Campuses
- C. Maintaining Campus Community Relations
- D. Reporting Offenses to Other Law Enforcement Agencies
- E. Violence/Gangs on Campus
- F. Campus Parking, Traffic, and Crowd Control
- G. Facility Protection
- H. Disasters and Emergencies

Written Examination

Note: The Commission recommends that school peace officers who perform general law enforcement duties complete the Regular Basic Course prior to appointment or assignment as a peace officer.

Authority: PC 13503, 13506 and 13510

Reference: PC 629.44(a), 832, 832.1, 832.2, 832.3, 832.6, 872(b), 12403, 12403.5, 13510, 13510.5, 13516, 13517, 13519, 13519.1, 13519.2, 13519.3; Civil Code 607f; Vehicle Code 40600; Business & Professions Code 25755

NOTE: THIS LANGUAGE IS PREDICATED UPON APPROVAL BY THE OFFICE OF ADMINISTRATIVE LAW OF REGULATION 1005 AS REVISED PURSUANT TO THE PUBLIC HEARING HELD APRIL 20, 1989.

Commission on Peace Officer Standards and Training

PUBLIC HEARING: BASIC TRAINING STANDARDS
SPECIALIZED BASIC INVESTIGATORS COURSE

1005. Minimum Standards for Training

(a) - (i) ****

PAM Section D-1-1 adopted effective * is
herein incorporated by reference.

PAM Section D-1-2 adopted effective * is herein
incorporated by reference.

PAM Section D-1-3 adopted effective April 15, 1982, and
amended January 24, 1985 and * is herein
incorporated by reference.

PAM Section D-1-4 adopted effective April 27, 1983, and
amended January 24, 1985 and * is herein
incorporated by reference.

PAM Section D-1-5 adopted effective April 27, 1983, and
amended January 24, 1985 and * is herein
incorporated by reference.

PAM Section D-1-6 adopted effective October 20, 1983, and
amended * and * is herein incorporated
by reference.

PAM Section D-3 adopted effective April 15, 1982, and
amended October 20, 1983 and January 29, 1988 is herein
incorporated by reference.

PAM Section D-4 adopted effective April 15, 1982 is herein
incorporated by reference.

The POST Basic Academy Physical Conditioning Manual
(February 1990) adopted effective * is herein
incorporated by reference.

The document, Performance Objectives for the POST Basic
Course - 1989 adopted effective * is herein
incorporated by reference.

The document, Performance Objectives for the POST
Specialized Basic Investigators Course - 1990 adopted
effective * is herein incorporated by reference.

*This date to be filled in by OAL

Authority: Sections 13503, 13506, 13510, Penal Code
Reference: Sections 832, 832.3, 13506, 13510, 13510.5,
13511, 13513, 13514, 13516, 13517, 13520 and
13523, Penal Code

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date	
Course Certification/Decertification Report		January 17, 1991	
Bureau	Reviewed By	Researched By	
Training Delivery Services	Ronald T. Allen, Chief <i>RIA</i>	Rachel S. Fuentes <i>Rachel S. Fuentes</i>	
Executive Director Approval	Date of Approval	Date of Report	
<i>McBee</i>	12-27-90	December 21, 1990	
Purpose:		Financial Impact:	
<input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No	

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

The following courses have been certified or decertified since the November 1, 1990 Commission meeting:

CERTIFIED

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
1.	Missing Persons/Runaways	Ventura College	Technical	IV	\$ 7,500
2.	Field Training Officer	State Center Reg Training Fac.	Technical	IV	17,280
3.	S&K Modular Trng.	Sacramento Co. Sheriff's Dept.	Technical	IV	7,020
4.	Arrest & Firearms (P.C. 832)	Ohlone Community College	Reserve Training	N/A	-0-
5.	Field Training Officer	Napa College	Technical	IV	4,200
6.	Crime Scene Inv. Criminalistic	Calif. Criminalistics Institute	Technical	IV	22,500
7.	Firearms Inst. Semi-Automatic	Dept. of P&R	Technical	N/A	-0-
8.	Missing Persons/	Los Angeles Co.	Technical	IV	-0-
9.	Missing Persons/Runaways	Whittier Police Department	Technical	IV	-0-
10.	Missing Persons/Runaways	Glendale Police Department	Technical	IV	-0-
11.	Missing Persons/Runaways Update	San Bernardino Police Department	Technical	IV	-0-

CERTIFIED - Continued

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
12.	Reserve Training Module A	Rio Hondo RTC	Reserve Training	N/A	-0-
13.	Reserve Training Module B	Rio Hondo RTC	Reserve Training	N/A	-0-
14.	Reserve Training Module C	Rio Hondo RTC	Reserve Training	N/A	-0-
15.	Supervisory Course	San Diego Police Department	Supv. Trng	II	54,000
16.	Special Weapons & Tactics, Adv.	Gavilan College	Technical	IV	13,440
17.	Canine Handler Update	Long Beach Police Department	Technical	III	29,395
18.	Driver Awareness Update	San Luis Obispo County S. D.	Technical	IV	4,000
19.	Complaint Disp. Med. Emergency	Chabot College	Technical	IV	-0-
20.	Law Enforcement Mutual Aid	OES	Mgmt. Sem.	IV	12,000
21.	Officer Involved Shootings: Supv/ Mgmt. Response	CPOA	Mgmt. Sem.	III	17,184
22.	Missing Persons/ Runaways	Grossmont College	Technical	IV	-0-
23.	Basic Peer Counseling	Quinn-Benner & Associates	Technical	III	17,856
24.	Missing Persons/ Runaways	California State Police	Technical	IV	-0-
25.	Missing Persons/ Runaways	Anaheim Police Department	Technical	IV	-0-
26.	Missing Persons/ Runaways	Merced Community College	Technical	IV	-0-
27.	Driver Awareness Update	Riverbank Police Department	Technical	IV	200

DECERTIFIED

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
1.	Asset Forfeiture Marijuana Upd	DOJ Advanced Training Center	Technical	IV

TOTAL CERTIFIED	<u>27</u>
TOTAL DECERTIFIED	<u>01</u>
TOTAL MODIFICATIONS	<u>32</u>

1091 Courses certified as of 12-17-90
174 Presenters certified as of 12-17-90

482 S&K Modules certified as of 12-17-90
51 S&K Presenters certified as of 12-17-90

TOTAL CERTIFIED COURSES: 1,573

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Public Safety Dispatcher Program		January 17, 1991
Reviewed By	Researched By	
Compliance and Certificate Services	Thomas Farnsworth <i>TF</i>	
Executive Director Approval	Date of Approval	Date of Report
		December 21, 1990
Purpose:		Financial Impact:
<input type="checkbox"/> Decision Requested	<input checked="" type="checkbox"/> Information Only	<input checked="" type="checkbox"/> Yes (See Analysis for details)
<input type="checkbox"/> Status Report		<input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Acceptance of agencies into the Public Safety Dispatcher Program.

BACKGROUND

The agencies shown on the attached list have requested participation in the POST Reimbursable Public Safety Dispatcher Program pursuant to Penal Code Sections 13510(c) and 13525. The agencies have expressed their willingness to abide by POST Regulations and have passed ordinances or resolutions as required by Penal Code Section 13522.

ANALYSIS

All of the agencies presently employ full-time dispatchers, and some employ part-time dispatchers. The agencies have all established minimum selection and training standards which equal or exceed the standards adopted for the program.

RECOMMENDATION

That the Commission be advised that the subject agencies have been accepted into the POST Reimbursable Public Safety Dispatcher Program consistent with Commission policy.

NEW AGENCIES IN THE PUBLIC SAFETY DISPATCHER PROGRAM

OCTOBER - DECEMBER 1990

<u>AGENCY</u>	<u>ORD/RES/LETTER</u>	<u>ENTRY DATE</u>
Antioch P.D.	Ord. 780	10-10-90
Calistoga P.D.	Ord. 444	10-17-90
Colma P.D.	Ord. 414	12-18-90
El Centro P.D.	Ord. 90-22	11-28-90
Fortuna P.D.	Ord. 90-549	10-24-90
Marysville P.D.	Ord. 1073	10-17-90
Newport Beach P.D.	Ord. 88-36	11-5-90
Rocklin P.D.	Ord. 638	10-3-90
San Diego P.D.	Ord. 0-17474 N.S.	10-3-90
San Gabriel P.D.	Ord. 340 C.S.	10-3-90
Tulare P.D.	Ord. 1680	11-15-90
Upland P.D.	Ord. 1485	10-24-90
Del Norte Co. S.O.	Ord. 90-15	12-18-90
CSU Dominguez Hills	Resolution	11-5-90
U/C. San Diego	Resolution	10-10-90

TOTAL AGENCIES IN PROGRAM: 280

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Annual Review of Command College Tuition		Meeting Date January 17, 1991
Bureau Center for Leadership Development	Reviewed By <i>Doug Thomas</i>	Researched By Beverley Short
Executive Director Approval <i>Moussa C. Behm</i>	Date of Approval 12-27-90	Date of Report December 4, 1990
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

This item is before the Commission for its annual review of the Command College tuition.

BACKGROUND

At the January 1987 meeting, the Commission designated a tuition be charged all eligible, non-reimbursable agencies desiring to send participants to the Command College. The Commission also directed staff to monitor the direct costs of the two-year program and to submit a report annually with recommendations for the tuition rate for the coming year.

The current tuition approved by the Commission for participants beginning the Command College program in 1990 is \$3,638.

The non-reimbursable agencies currently in the Command College and being charged a tuition are the California Highway Patrol, the Department of Justice, and the Department of Motor Vehicles. The total amount of tuition collected since it was implemented in June 1987 is \$29,871.53.

ANALYSIS

The recommended tuition based on anticipated direct Command College costs per participant in 1991 is \$3,747. The breakdown of costs is:

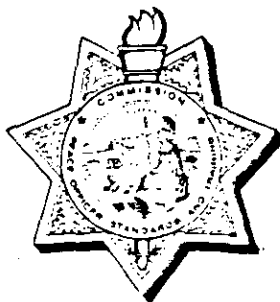
	<u>Per Student</u>
Faculty	\$2,192
Facility Use Fees	743
Project Advisors	300
Independent Project and Intercession Grading	362
Lead Faculty Meetings	<u>150</u>
Total	\$3,747

The recommended tuition per participant of \$3,747 for 1991 is an increase of \$109 over the 1990 tuition.

An additional cost is expected in calendar year 1992 due to increased emphasis on improving the quality of the students' Independent Study Project. There is a need for the project advisors to be trained in the critical learning principles of the Command College. Their role is to provide academic advisory services to the students during the Independent Study Project phase of the program.

RECOMMENDATION

Approve an increase in the Command College tuition for the two-year program from \$3,638 to \$3,747 (\$1,673 per year). The increased tuition would be effective for Command College Class 16 beginning June 23, 1991, and Class 17 beginning January 12, 1992.



Resolution OF THE *Commission on Peace Officer Standards and Training* STATE OF CALIFORNIA

WHEREAS, the Commission on Peace Officer Standards and Training (POST), upon the occasion of Sheriff John Duffy's retirement, recognizes his many accomplishments and contributions; and

WHEREAS, Sheriff Duffy began his career in law enforcement with the San Diego County Sheriff's Department on May 25, 1953; and

WHEREAS, he received a succession of promotions rising through the ranks to the rank of Captain; and

WHEREAS, he was first elected to the office of Sheriff in 1970, exhibiting professionalism and skill which so endeared him to the hearts of county residents that he was re-elected four times, serving a total of five; and

WHEREAS, Sheriff Duffy has provided distinguished leadership to California law enforcement through his department, professional associations, various boards and commissions; and

WHEREAS, Sheriff Duffy led in the effort to provide training and orientation to newly elected Sheriffs in California; and

WHEREAS, Sheriff Duffy, through the Sheriff's Department, has consistently provided California law enforcement training services and programs; and

WHEREAS, Sheriff Duffy has remained continuously in the forefront of major issues facing California law enforcement; and

WHEREAS, Sheriff Duffy has retired from the Sheriff's Department, having served the citizens of San Diego County a total of thirty-seven years, twenty of which as their County Sheriff; now, therefore,

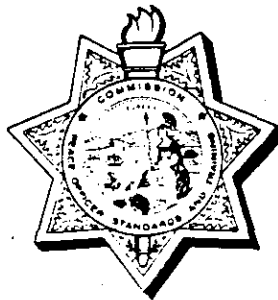
BE IT RESOLVED that the Commission commends Sheriff Duffy for his outstanding contributions to law enforcement and to the people of California; and

BE IT FURTHER RESOLVED that, the Commission on POST extends to Sheriff Duffy best wishes on his future endeavors and opportunities for leadership and further contributions.

Chairman

Executive Director

December 6, 1990
Date



Resolution OF THE *Commission on Peace Officer Standards and Training* STATE OF CALIFORNIA

WHEREAS, Sheriff Floyd Tidwell has faithfully served the people of California as a law enforcement officer for over 35 years; and

WHEREAS, Sheriff Tidwell attained all ranks with the San Bernardino County Sheriff's Department culminating in his election as Sheriff in 1982; and

WHEREAS, he is recognized as a distinguished leader in his county and in the law enforcement profession; and

WHEREAS, he faithfully represented the California State Sheriffs' Association on the POST Advisory Committee from 1986 to 1987; and

WHEREAS, he was appointed to the Commission on Peace Officer Standards and Training in November 1987 by the Governor of the State of California; and

WHEREAS, he continues distinguished service as Chairman of the Commission on Peace Officer Standards and Training; now

THEREFORE, Be it resolved, that the members of the Commission on Peace Officer Standards and Training upon the occasion of his retirement from the San Bernardino County Sheriff's Department congratulates Sheriff Tidwell for his outstanding career and contributions to California law enforcement; and be it

FURTHER RESOLVED, that the members of the Commission wish Sheriff Tidwell every happiness and success in his retirement.

Chairman

Executive Director

November 15, 1990

Date

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date	
Financial Report - Second Quarter 1990-91		January 17, 1991	
Bureau	Reviewed By	Researched By	
Administrative Services	Otto H. Saltenberger	Staff	
Executive Director Approval	Date of Approval	Date of Report	
<i>Norman C. Boehm</i>	1/17/91	January 10, 1991	
Purpose:		Financial Impact:	
<input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No	

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

This report provides financial information relative to the local assistance budget through December 31, 1990. Revenue which has accrued to the Peace Officer Training Fund is shown as are expenditures made from the 1990-91 Budget to California cities, counties and districts.

COMPARISON OF REVENUE BY MONTH

This report, shown as Attachment 1, identifies monthly revenues which have been transferred to the Peace Officer Training Fund. Through December 31, 1990, we received \$24,061,111. The total is \$241,111 (1%) more than originally anticipated on a straight line projection (see Attachment 1A) and is \$508,742 (2%) more than received the same period last fiscal year.

NUMBER OF REIMBURSED TRAINEES BY CATEGORY

This report, identified as Attachment 2, compares the number of trainees reimbursed this fiscal year with the number reimbursed last year. The 27,596 trainees the first two quarters represents a 4,838 increase (21%) compared to the 22,596 trainees reimbursed during the similar period last fiscal year.

REIMBURSEMENT BY COURSE CATEGORY

This report, identified as Attachment 3, compares the reimbursement paid by expense category this year with the amount reimbursed last fiscal year. Mid-year reimbursement of \$15,005,997 represents a \$3,196,428 (27%) increase compared to last fiscal year. The increased level of reimbursement is due to the increased volume of current year trainees. The fiscal year 1990-91 salary rate of 25% for the basic course and 35% for other eligible courses is contrasted with last year's salary rate of 30% for the basic course and 40% for other courses. Current year reimbursement at last year's salary rates would have exceeded \$16.3 million. Attachment 3A shows the status of the local assistance budget as of December 31, 1990.

ANALYSIS AND SALARY RECOMMENDATION

The number of trainees for the first two quarters of the current year continues to be significantly higher compared to last year. The corresponding increase in trainee reimbursement reflects this

higher training volume, particularly basic course trainees (+61%). Revenue, which traditionally fluctuates from month to month, remains within the current year projection. Additionally, the Commission's proposal to allocate \$3.5 million of budget reserves for training reimbursement last quarter which was temporarily held during the gubernatorial transition is now being processed by the Department of Finance. Sufficient resources will be available to provide the Commission's previously approved retroactive salary increase. Fiscal expenditures and available resources were addressed by the Commission's Finance Committee and will be reported on as a separate agenda item.

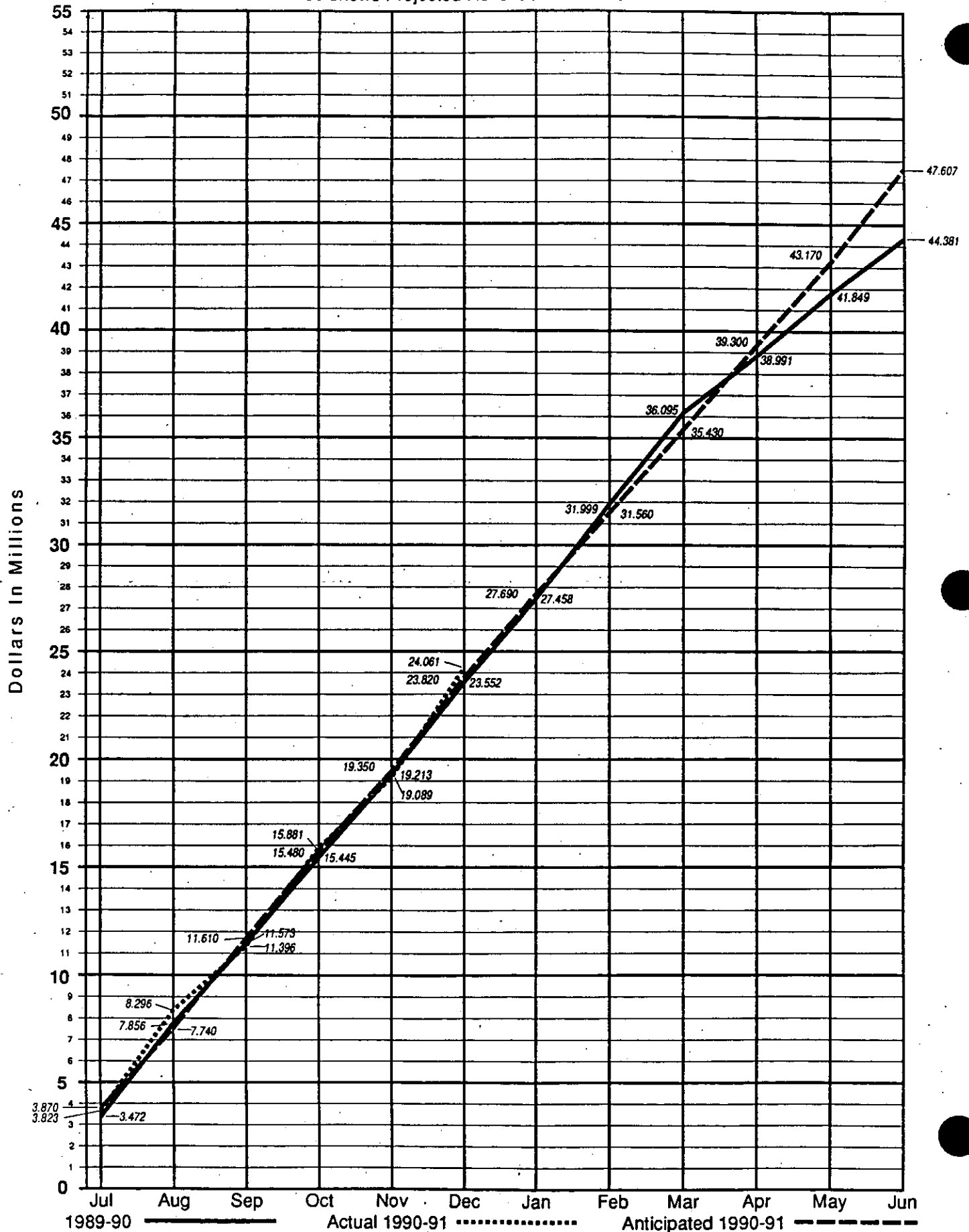
ATTACHMENT 1

Comparison of Revenue by Month Fiscal Years 1989-90 and 1990-91							
1989-90				1990-91			
	Penalty Assessment Fund	Other	Cumulative Total	Cumulative Monthly Estimated	Penalty Assessment Fund	Other	Total
July	\$ 3,471,499	\$ 150	\$ 3,471,649	\$ 3,870,000	\$ 3,822,890	\$ 541	\$ 3,823,431
August	4,382,231	720	7,854,600	7,740,000	4,467,623	5,433	4,473,056
September	3,695,994	22,482	11,573,076	11,610,000	3,096,014	3,690	3,099,704
October	3,870,768	1,217	15,445,061	15,480,000	4,468,976	16,184	4,485,160
November	3,766,316	1,175	19,212,552	19,350,000	3,207,368	412	3,207,780
December	4,339,307	510	23,552,369	23,820,000	4,971,707	273	4,971,980
January	3,413,896	491,238	27,457,513	27,690,000			
February	4,539,922	1,336	31,998,771	31,560,000			
March	4,090,801	5,387	36,094,959	35,430,000			
April	2,894,819	1,536	38,991,314	39,300,000			
May	2,857,695	166	41,849,175	43,170,000			
June	1,883,751	647,730	44,380,656	47,607,000			
	\$43,206,999	\$1,173,657	\$44,380,656	\$47,607,000	\$24,034,578	\$ 26,533	\$24,061,111

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Comparison of Revenue by Month Fiscal Years 1989-90 and 1990-91 Also shows Projected Revenue for 1990-91

Attachment 1A



COMMISSION ON POST

Number of Reimbursed Trainees by Category - For Claims Processed

December 1990

	1989-90			1990-91		
	Actual Total For Year	Actual July-Dec	% of Total	Projected Total For Year	Actual July-Dec	% of Projection
Basic Course	3,179	1,561	.49	3,800	2,507	.66
Dispatchers-Basic	0	0	0	950	462	.49
Advanced Office Course	14,394	5,652	.39	16,265	6,730	.41
Supervisory Course (Mandated)	975	449	.46	1,050	554	.53
Supervisory Seminars and Courses	2,071	942	.46	2,200	1,320	.60
Management Course (Mandated)	315	75	.24	356	126	.35
Management Seminars and Courses	2,096	858	.41	2,745	1,058	.39
Executive Development Course	453	222	.49	520	182	.35
Executive Seminars and Courses	254	107	.42	310	39	.13
Other Reimbursement	2,310	1,811	.78	1,200	219	.18
Technical Skills and Knowledge Course	26,249	10,271	.39	29,398	13,520	.46
Field Management Training	61	24	.39	72	10	.14
Team Building Workshops	1,035	379	.37	1,040	271	.26
POST Special Seminars	805	244	.30	860	400	.47
Approved Courses	16	1	.06	40	35	.88
TOTAL	54,213	22,596	.42	60,806	27,433	.45

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Commission on POST

SUMMARY OF REIMBURSEMENT EXPENSE CATEGORIES

Expense Categories	Total. 1989-90 FY	1989-90 *July-Dec	1990 December**	1990-91 July-Dec**
Resident Subsistence	\$ 8,240,405	\$ 3,180,264	\$ 661,587	\$ 3,942,530
Commuter Meal Allowance	1,255,984	566,417	191,835	667,090
Travel	3,187,231	1,267,652	269,862	1,497,991
Tuition	4,119,804	1,677,503	422,860	1,937,590
Salary	13,193,753	5,117,733	1,600,172	6,960,796
Totals	\$29,997,177	\$11,809,569	\$3,146,316	\$15,005,997

*Includes funds charged to 88-89 F.Y. for training

**Includes funds charged to 89-90 F.Y. for training
1-8-91

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
1990-91 LOCAL ASSISTANCE BUDGET
AS OF: DECEMBER 31, 1990

	Allocated	Expended *	Balance
AID TO LOCAL GOVERNMENT:			
Course Reimbursement **	\$31,042,378	\$13,970,945	\$17,071,433
Carry Over from FY 89-90	1,614,321	1,035,052	579,269
Sub-Total, Reimbursements	\$32,656,699	\$15,005,997	\$17,650,702
OTHER:			
Training Contracts	\$2,700,000	\$2,273,407	\$426,593
Letters of Agreement	750,000	254,825	495,175
Room Rental	100,000	50,543	49,457
Reserve for Contingencies	2,402,622	0	2,402,622
Sub-Total, Other	\$5,952,622	\$2,578,775	\$3,373,847
Total, Local Assistance	\$38,609,321	\$17,584,772	\$21,024,549

* Includes encumbrances

** Salary reimbursement @ 25/35%

COMMISSION AGENDA ITEM REPORT

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

At the July 1990 meeting, the Commission took action to schedule a public hearing at this meeting to consider proposed curriculum and hourly changes to POST standards for the PC 832 Course.

ANALYSIS:

Four factors have emerged that suggest it may be timely to upgrade POST's requirements for the Course including:

1. Recent informal legal advice to POST has suggested that this training requirement should be interpreted as a requirement upon the individual and not upon the employing agency thus reducing the possibility of this being considered a state mandated/reimbursable program.
2. In developing a proposed training standard for school peace officers under Penal Code Section 832.2 (Senate Bill 446 of 1989), the need to include some officer safety curriculum was identified as necessary to obtain field support. The proposed curriculum changes would satisfy this need.
3. With the completion of POST's PC 832 Interactive Training Program, a convenient means to expedite presenting the training has become available to effectively present the training in considerably less time (25-60% less) compared to traditionally presented instruction. In developing the interactive (IVD) version of the PC 832 Course, existing performance objectives and those proposed for addition were included. Thus, the impact of increasing the curriculum and hourly requirements for this course are significantly minimized with the availability of the PC 832 Interactive Training Program. Approximately 20 (or 32%) of the existing presenters are using the program and therefore can seek a waiver of minimum hours consistent with Commission policy.
4. The vast majority of course presenters exceed included the curriculum from the 16-hour Communications and Arrest Methods Course indicating there is agreement this training is needed.

The proposal before the Commission is to: 1) include content of the now optional Communications and Arrest Methods Course in the required Arrest Course to bring that module from 24 to 40 hours, 2) increase the time required for the Firearms Course from 16 to 24 hours, 3) include a skill test requirement for arrest methods (handcuffing, person search and weaponless defense), and 4) revise the Level III Reserve Course requirement to maintain consistency with the proposed PC 832 requirement.

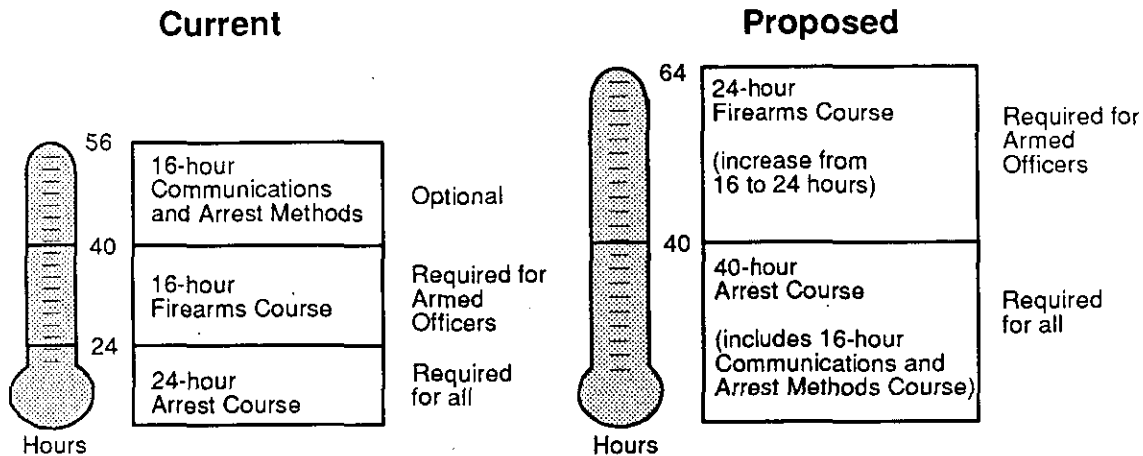
The curriculum proposed for addition to the Arrest Course is primarily taken from the currently optional 16-hour Communications and Arrest Methods Course. This curriculum includes performance objectives on community relations; communications, including interpersonal and report writing; principles of weaponless defense; person search techniques; use of restraint devices; and prisoner transportation. Twenty-five performance objectives are being recommended for addition and ten are being recommended for deletion. The ten objectives recommended for deletion are the result of recommended modifications to other objectives that include their content or are considered to be no longer universally applicable to PC 832 peace officers.

Also being recommended is the addition of nine required "learning experiences" and the conversion of three existing performance objectives to learning experiences. A learning experience is a required instructional event (i.e., a part of the instructional process) that may be workbook, a demonstration, a film, supervised practice, discussion, lecture, computer-assisted instruction or technique applicable to the particular subject. Unlike performance objectives, however, learning experiences are not tested. They are particularly appropriate for subjects which are difficult to test or which relate to values, attitudes, or judgment. They can also be useful for certain skills that should be demonstrated, but when not practical to attempt to evaluate mastery. The proposed curriculum specified in Attachment C provides examples of learning experiences beginning with 1.11.1 on page 4.

The net result of proposed curriculum modifications is that the Arrest and Firearms Courses would increase from the present 91 to 103 performance objectives, nine new learning experiences, and the conversion of three existing performance objectives to learning experiences. Learning experiences are estimated to require approximately the same amount of instructional time as would performance objectives.

It is proposed that the Arrest Course hours be increased from 24 to 40 hours and the Firearms Course from 16 to 24 hours, for a total requirement of 64 hours.

The following chart provides a comparison of the existing and proposed hours.



For the Arrest Course, the increased hours are attributable to the recommended additional curriculum (performance objectives and learning experiences). For the Firearms Course, the recommended eight-hour increase is to provide sufficient time for student practice on the firearms range in order to gain proficiency and pass the POST Firearms Proficiency Examination. Currently, POST is experiencing a 10% failure rate on the examination. Persons with peace officer powers who carry firearms pose a significant risk to themselves as well as the public they serve if they lack proficiency in firearms skills. The additional time for student practice will lower the failure rate. See Attachment D for a comparison of existing and proposed hourly requirements.

To accomplish the above curriculum and hourly changes, Commission Regulation 1081, Minimum Standards for Approved Courses, needs to be amended. Recommended modifications to this regulation also propose to delete the identification of performance objectives and instead incorporate detailed curriculum in a document "POST Curriculum Requirements for the PC 832 Course." See Attachment E for proposed curriculum requirements.

It is also proposed to modify Commission Regulation 1080, PC 832 Course Testing Requirements, to expand firearms skill testing to include other skills (e.g., weaponless defense, search of prisoners, handcuffing) because the proposed curriculum includes these additions. See Attachment E for proposed changes.

It is also proposed that Commission Procedures H-3 and H-5 (Reserve Officer Training Requirements) be amended to modify Module A (Level III Reserves) by deleting reference to the 16-hour Communications and Arrest Methods Course and reflecting the above changes in the Level III Course. See Attachment D for proposed changes.

An implementation date of July 1, 1992 is proposed to allow for planning by training presenters and for POST test development.

The proposed curriculum and hourly changes have been reviewed by PC 832, Reserve Officer, and Basic Course presenters and instructors with consensus reached on the appropriateness of these changes. Staff of the Standards and Training for Corrections (STC), Board of Corrections, have reviewed the proposed changes and concur with their applicability for local correctional officers, juvenile counselors and probation personnel who are subject to the training requirement. Staff of the California Departments of Corrections and Youth Authority training centers, which employ and train state correctional peace officers and parole agents, likewise concur with the proposed changes.

RECOMMENDATION:

Subject to results of the public hearing, it is recommended the Commission approve the recommended changes to Commission Regulations 1080-1081 and Procedures H-3 and H-5 to implement updating the curriculum, hourly and testing requirements for the PC 832 Course.

attachments

PENAL CODE SECTION 832

832. Course of training prescribed by Commission on Peace Officer Standards and Training; examination; necessity to exercise powers; exemptions

(a) Every person described in this chapter as a peace officer, shall satisfactorily complete an introductory course of training prescribed by the Commission on Peace Officer Standards and Training. On or after July 1, 1989, satisfactory completion of the course shall be demonstrated by passage of an appropriate examination developed or approved by the commission. Training in the carrying and use of firearms shall not be required of any peace officer whose employing agency prohibits the use of firearms.

(b) (1) Every such peace officer described in this chapter, within 90 days following the date that he or she was first employed by any employing agency, shall, prior to the exercise of the powers of a peace officer, have satisfactorily completed the course of training as described in subdivision (a).

(2) Every peace officer described in Section 13510 or in subdivision (a) of Section 830.2 may satisfactorily complete the training required by this section as part of the training prescribed pursuant to Section 13510.

(c) Persons described in this chapter as peace officers who have not satisfactorily completed the course described in subdivision (a) as specified in subdivision (b), shall not have the powers of a peace officer until they satisfactorily complete the course.

(d) Any peace officer who on March 4, 1972, possesses or is qualified to possess the basic certificate as awarded by the Commission on Peace Officer Standards and Training shall be exempted from this section.

Commission on Peace Officer Standards and Training

POST Prescribed
Training Courses

July 1, 1989

ARREST AND FIREARMS TRAINING REQUIREMENT - P.C. 832
Course Outline

POST ADMINISTRATIVE MANUAL REFERENCE

Law
Commission Procedure D-7

LEGAL REFERENCE

Penal Code Section 832(a) (added by Statutes 1971) requires every person described in Chapter 4.5, Title 3 of Pt. 2, of the Penal Code as a peace officer to complete a course of training prescribed by the Commission on Peace Officer Standards and Training. P.C. Section 832(b)(1) requires such training to be completed within 90 days following date of employment and prior to the exercise of peace officer powers.

Civil Code Section 607(f) requires humane officers who carry firearms to complete a course of training approved by the Commission. The firearms portion of the P.C. 832 Arrest and Firearms Course was approved by the Commission to satisfy the requirements of the law.

BACKGROUND

The course curriculum was approved by the Commission in 1972 and revised in 1985. The course is certified for 40 hours, presented in two parts--24 hours in laws of arrest and 16 hours in firearms. Peace officers who do not carry firearms are not required to complete the firearms portion. The Commission also recommends, but does not mandate, that peace officers who are subject to making arrests complete an additional 16-hour course in Communication and Arrest Methods. The course curriculum was updated July 1, 1989 to require specific performance objectives from the Regular Basic Course.

CERTIFICATION INFORMATION

The P.C. 832 Course is certified to community colleges and law enforcement agencies in blocks of 40 or more hours only. The course curriculum consists of a topical outline and selected required performance objectives included in the POST-certified Basic Course. Refer to POST publication Performance Objectives for the Basic Course.

TOPICAL OUTLINE*

Arrest Course (24 Hours) (Required for all peace officers)

A. Professional Orientation (4 Hours)

1. Professionalism (1.2.1)
2. Ethics/Unethical Behavior (1.3.1-2) (1.4.1-4)
3. Administration of Justice Components (1.7.1-2)
4. California Court System (1.9.1-2)
5. Discretionary Decision Making (1.11.1-4)

B. Law (12 Hours)

1. Introduction to Law (3.1.1-3)
2. Crime Elements (3.2.1-3)
3. Intent (3.3.1)
4. Parties to a Crime (3.4.1-2)
5. Defenses (3.5.1-2)
6. Probable Cause (3.6.1-2)
7. Obstruction of Justice (3.8.1-7)
8. Constitutional Rights Law (3.37.1,3,4)
9. Laws of Arrest (3.38.1-9,12-13)
10. Effects of Force (7.1.1-2)
11. Reasonable Force (7.2.1-3)
12. Deadly Force (7.3.1-5)
13. Illegal Force Against Prisoners (11.3.1-2)

C. Laws of Evidence (4 Hours)

1. Concepts of Evidence (4.1.1-5)
2. Rules of Evidence (4.6.1-3)
3. Search Concept (4.7.1-2,4)
4. Seizure Concept (4.8.1-5)

D. Investigation (3 Hours)

1. Preliminary Investigation (10.1.4)
2. Interrogation (8.8.1)
3. Identification, Collection, and Preservation of Evidence (10.6.1-3,6-7)
4. Chain of Custody (10.7.1-2)

Examination (1 Hour)

*Note that required performance objectives are included in parenthesis.

Commission on Peace Officer Standards and Training

Firearms Course (16 Hours) (Required for peace officers who carry firearms)

- A. Firearms Safety (7.5.1)
 - B. Handgun Familiarization (7.6.1)
 - C. Firearms Care and Cleaning (7.7.1)
 - D. Firearms Shooting Principles (7.10.1)
 - E. Firearms Range (Combat) (7.15.1) *
- *Modified for P.C. 832 Course

Communications and Arrest Methods Course (16 Hours)
(Recommended for peace officers who make arrests)

- A. Community Relations (2 Hours)
 - 1. Community Service Concept (2.1.1)
 - 2. Community Attitudes and Influences (2.2.1-4)
- B. Communications (5 Hours)
 - 1. Interpersonal Communication (5. .1-3)
 - 2. Note Taking (5.2.1-3)
 - 3. Introduction to Report Writing (5.3.1-3)
 - 4. Interviewing Techniques (10.8.1)
- C. Arrest and Control (8 Hours)
 - 1. Weaponless Defense/Control Techniques (12.6.1-5) (12.7.2-3,7)
 - 2. Person Search Techniques (8.14.1-4)
 - 3. Restraint Devices (8.19.1-2)
 - 4. Prisoner Transportation (8.20.1-3)

Examination (1 Hour)

Total (56 Hours)

POST CURRICULUM REQUIREMENTS FOR THE PC 832 COURSE
(Existing With Recommended Modifications)

ARREST COURSE

(Required for all peace officers)

A. PROFESSIONAL ORIENTATION

Law Enforcement Profession

1.2.1p The student will identify the ~~basic~~
~~principles~~ following characteristics of a
"profession."

- A. A common set of principles and goals
- B. A recognized body of knowledge which
is systematically transmitted to new
members
- C. A professional organization to which
members belong
- D. A code of ethics regulating the
conduct of members
- E. A license or certificate to practice

Ethics

1.3.1p The student will identify why ~~law enforcement~~
~~peace officers~~, both on and off duty, should
exemplify the highest ethical and moral
standards.

- A. To promote professionalism in law
enforcement
- B. To gain public support for law
enforcement
- C. To earn the respect and confidence of
peers
- D. To maintain a sense of self worth and
pride in being a ~~law enforcement~~ peace
officer

Note: Underline indicates proposed added language or
performance objectives. Strikeouts indicate
proposed deleted language or performance objectives.

"p" identifies those performance objectives that
differ from those of the Regular Basic Course.

(le) identifies required "Learning Experiences"

- 1.3.2p The student will identify the following fundamental duties of a peace officer as described in the "Law Enforcement Code of Ethics" ~~and the "Code of Professional Conduct and Responsibilities for Peace Officers."~~
- A. To serve mankind
 - B. To safeguard lives and property
 - C. To protect the innocent against deception
 - D. To protect the weak against oppression or intimidation
 - E. To protect the peaceful against violence or disorder
 - F. To respect the Constitutional rights of all

Unethical Behavior

- 1.4.1 Given word pictures or audio-visual presentations depicting unethical and/or criminal conduct on the part of a fellow officer, the student will select the best method for handling the situation based on the following principles:
- A. Express verbal disapproval of minor infractions by a fellow officer
 - B. Discuss continued infractions with a supervisor
 - C. Report misconduct to a supervisor immediately
 - D. Prevent criminal behavior, if possible, and report it to a supervisor immediately.
- 1.4.2 The student will identify problems associated with an officer's nonenforcement of specific laws by personal choice:
- A. Public disrespect for the law and law enforcement.
 - B. Public confusion as to the meaning or intent of the law.
- 1.4.3p The student will identify problems associated with an officer's acceptance of gratuities:
- A. Creates a negative public image of ~~law enforcement~~ peace officers and their agencies
 - B. Obligates the officer to the gift giver

C. May lead to the acceptance of larger gifts, serious misconduct, or the commission of a crime

1.4.4 The student will identify why it is necessary for an officer to take positive action when becoming aware of unethical and/or criminal conduct on the part of a fellow officer:

- A. To maintain the public trust
- B. To prevent further misconduct
- C. To permit corrective action to take place

Administration of Justice Components

1.7.1 Given the three criminal justice system components (law enforcement, judicial, corrections), the student will identify to which component of the criminal justice system the following operational positions belong:

- A. Judge
- B. Prosecuting Attorney
- C. Defense Attorney
- D. Probation Officer
- E. Parole Officer
- F. Correctional Officer
- G. Local Police
- H. Sheriff
- I. Victim/Witness Services

1.7.2 The student will identify the following major goals of the criminal justice system:

- A. Guaranteeing due process
- B. Crime prevention
- C. Protection of life and property
- D. Apprehension of offender
- E. Enforcement of law
- F. Equal justice
- G. Assure victim's rights

California Court System

1.9.1 The student will identify the organizational structure and a primary responsibility of the following California courts: (California Constitution)

- A. Justice Court
- B. Municipal Court
- C. Superior Court
- D. District Court of Appeal
- E. State Supreme Court

1.9.2 The student will identify the purposes of the following judicial processes in criminal cases:

- A. Bail
- B. Arraignment
- C. Preliminary hearing
- D. Indictment
- E. Trial

Discretionary Decision Making

1.11.1 ~~The student will identify the steps involved~~
(le) in problem solving including: The
instructor will present a problem
which is related to the student's use
of peace officer powers and describe
how a solution can be found and
evaluated using the following six-
step, problem-solving process:

- A. Identifying the problem
- B. Analyzeing the problem
- C. Developing alternatives
- D. Selecting a solution
- E. Implementing the decision
- F. Evaluateing the action results

The student's use of the six-step, problem-
solving process will be critiqued by the
instructor.

Equivalent experience gained through the use
of appropriately designed workbooks, computer
assisted instruction, or audio visual
instruction is also acceptable.

1.11.2 The student will identify the most common limitations of officer discretion including:

- A. Law
- B. Departmental policy and procedure
- C. Departmental goals and objectives

1.11.3 ~~The student will identify the potential consequences of an officer's application of discretionary decision-making including: The instructor will lead a class discussion on situations in which students may be called upon to use discretion while exercising their peace officer powers. The discussion will include situations where the student must decide between the following enforcement possibilities:~~

- ~~A. Arrest~~
- ~~B. Cite and release~~
- ~~C. Refer to a service agency~~
- ~~D. Issue a verbal or written warning~~
- ~~E. Take no action~~

The discussion will also include consideration of the following potential consequences of poor discretionary decision making:

- A. Death
- B. Additional crime
- C. Civil or criminal liability
- D. Discipline, including loss of job
- E. Embarrassment to the officer or his/her department

Equivalent experience gained through the use of appropriately designed workbooks, computer assisted instruction, or audio visual instruction is also acceptable.

1.11.4 ~~Given various word pictures, audio visual presentations, or simulated incidents, the student will identify which of the following are acceptable decisions:~~

- ~~A. Arrest~~
- ~~B. Citation and Release~~
- ~~C. Referral~~
- ~~D. Verbal Warning~~
- ~~E. No Action~~

B. ~~LAW~~ COMMUNITY RELATIONS

Community Attitudes and Influences

2.2.2 The student will participate in an
(le) instructor-led classroom discussion which

examines how a peace officer's behavior is likely to be perceived differently by the following groups:

- A. Different members of the community
- B. Suspects, victims, and witnesses
- C. The peace officer's employer
- D. The peace officer's peers

Equivalent experience gained through the use of appropriately designed workbooks, computer assisted instruction, or audio-visual programs is also acceptable. Workshops or "sensitivity" training sessions involving representatives from different community groups are also acceptable methods of satisfying this training requirement.

2.2.3 (1e) The student will participate in an instructor-led classroom discussion which examines techniques for coping with cultural and socioeconomic differences, including the following techniques:

- A. Identify and communicate with the representatives of different cultural and socioeconomic groups
- B. Avoid prejudging individuals based on their cultural origins or socioeconomic status
- C. Avoid the "we-they" syndrome

Equivalent experience gained through the use of appropriately designed workbooks, computer assisted instruction, or audio-visual programs is also acceptable. Workshops or "sensitivity" training sessions involving representatives from different community groups are also acceptable methods of satisfying this training requirement.

2.2.4 (1e) The student will participate in an instructor-led classroom discussion of how different subcultures within the officer's service area can be better served if the officer learns more about each subculture's customs, values and needs.

- A. Racial minority
- B. Ethnic minority
- C. Women
- D. Sexual orientation

- E. Economic group
- F. Elderly/youth
- G. Physically handicapped

Equivalent experience gained through the use of appropriately designed workbooks, computer assisted instruction, or audio-visual programs is also acceptable. Workshops or "sensitivity" training sessions involving representatives from different community groups are also acceptable methods of satisfying this training requirement.

C. LAW

Introduction to Law

3.1.1p ~~The student will identify the difference between "spirit of the law" and "letter of the law."~~ Given a description of a situation involving the application of criminal law by a peace officer, the student will identify whether it has been applied in accordance with the "spirit of the law" or the "letter of the law."

3.1.2p ~~The student will identify the sources of California law.~~ Given a description of a prohibited or protected act, the student will identify the written law (or laws), from those listed below, which prohibit or protect that act.

- A. Constitutional Law (federal and state)
- B. Statutory Law (federal and state)
- C. Case Law (federal and state)

3.1.3p ~~The student will identify how case decisions affect and clarify statutory law (Stare Decisis).~~ Given the following definition (or a paraphrase of the definition), the student will identify stare decisis as the term defined. Definition: The doctrine that when a court has laid down a principle of law as applicable to a certain set of facts, it will adhere to that principle, and apply it to all future cases, where the facts are substantially the same.

Crime Elements

- 3.2.1 The student will identify each of the following as being necessary elements of "a crime" as defined by California Penal Code Section 15:
- A. An act or omission
 - B. In violation of statutory law
 - C. For which there is a punishment
- 3.2.2 Given the punishment for a crime, the student will classify the crime as a felony, misdemeanor, or infraction. (Penal Code Sections 16 and 17)
- 3.2.3p The student will identify "corpus delicti" as defined in California criminal law. (Evidence Code) Given the following definition (or a paraphrase of the definition), the student will identify "corpus delicti" as the term defined.
Definition: The body of the crime. The body (material substance) upon which a crime has been committed, e.g., the corpse of a murdered man, the charred remains of a house burned down.

Intent

- 3.3.1p ~~The student will identify the following types of "intent" recognized in California criminal law.~~ Given a description of a set of facts which constitute a crime, the student will identify which of the following "mental states" can be legally inferred from the acts of the perpetrator.
- A. Specific intent
 - B. Transferred intent
 - C. General intent
 - D. Criminal negligence (Evidence Code)

Parties to a Crime

- 3.4.1p ~~The student will identify "principal" and "accessory" as defined by California law. (Penal Code Section 30-32)~~ Given word-pictures or audio-visual presentations depicting situations involving principals, accessories and accomplices of a crime, the student will identify the level of parties involved.

- A. Principal (31 P.C.)
- B. Accessory (32 P.C.)
- C. Accomplice or Feigned Accomplice (1111 P.C.)

- 3.4.2 ~~The student will identify "accomplice" as defined by California law. (Penal Code Section 1111)~~

Defenses

- 3.5.1 Given word-pictures or audio-visual presentations depicting possible entrapment situations, the student will correctly identify whether or not entrapment has occurred.
- 3.5.2 The student will identify those persons who are legally incapable of committing a crime in the State of California. (Penal Code Sections 26, 27, 28, and 29)

Probable Cause

- 3.6.1 The student will identify the following elements of "reasonable suspicion" as those required to lawfully stop, detain or investigate a person:
- A. Specific and articulable facts
 - B. Crime-related activity that is occurring or is about to occur
 - C. Involvement by the person to be detained in a crime-related activity.
- 3.6.2p Given word-pictures or audio-visual presentations depicting instances where "probable cause" for police enforcement action may or may not exist, the student will identify its presence or absence and reasons behind his/her decision.

Obstruction of Justice

- 3.8.1 Given word-pictures or audio-visual presentations depicting the possible offering or accepting of a bribe, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name

and crime classification. (Penal Code Section 67 and 68)

- 3.8.2 Given word-pictures or audio-visual presentations depicting possible perjuries, the student will determine if the crime is complete and will, in any situation where the crime is complete, identify the crime by its common name and crime classification. (Penal Code Sections 118 and 126)
- 3.8.3 Given word-pictures or audio-visual presentations depicting possible refusal by an officer to accept an arrested person, the student will determine if the crime is complete, and in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 142)
- 3.8.4 Given word-pictures or audio-visual presentations depicting the possible impersonation of an officer, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Sections 146a and 538d)
- 3.8.5 Given word-pictures or audio-visual presentations depicting the possible threat or obstructing of an officer in the fulfillment of his/her duties, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Sections 69, 71, 136.1, and 148.)
- 3.8.6 Given word-pictures or audio-visual presentations depicting the possible filing of a false police report, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 148.3 and 148.5)
- 3.8.7 Given word-pictures or audio-visual presentations depicting the possible refusal to join "posse comitatus," the student will determine if the crime is complete and, in

any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 150)

Constitutional Rights Law

3.37.1 The student will identify the provisions of the following amendments to the U. S. Constitution and the impact each has upon a peace officer's duties:

- A. 1st Amendment
- B. 4th Amendment
- C. 5th Amendment
- D. 6th Amendment
- E. 8th Amendment
- F. 14th Amendment

3.37.3p ~~Given a description word-pictures or audio-~~
visual presentations of a possible of Title
18, Section 241 of the U.S. Code conspiracy
against rights of citizens, the student will
identify the crime by title and section
whether a violation of Title 18, Section 241
of the U.S. Code occurred.

3.37.4p ~~Given a description word-pictures or audio-~~
visual presentations of a possible Title 18,
Section 242 of the U.S. Code Deprivation of
Rights Under Color of Law, the student will
identify the crime by title and section
whether a violation of Title 18, Section 242
of the U.S. Code.

Laws of Arrest

3.38.1p ~~The student will describe the peace officer's~~
Given word-pictures or audio-visual
presentations depicting arrest situations the
student will identify when the officer has
the authority to arrest. (Penal Code Section
836 and Vehicle Code Sections 40302-40300.5)

3.38.2p The student will identify the elements of a
lawful arrest. (Penal Code Sections 834 and
835 and 835a)

- A. An arrest may be made by a peace officer
or private person
- B. The arrested person must be taken into
custody in a case and in the manner

authorized by law

C. An arrest may be made by actual restraint of the arrested person or the arrested person's submission to custody

D. Reasonable force may be used to effect the arrest, prevent escape or overcome resistance

- ~~3.38.3 Given word pictures or audio-visual presentations depicting differing arrest situations, the student will identify the amount of force that may be used when effecting an arrest. (Penal Code Sections 835 (a) and 843) (covered in 7.2.1 & 2)~~
- 3.38.4p Given word-pictures or audio-visual presentations depicting arrest situations, the student will ~~explain~~ identify the information the person arrested must be provided and at what time it must be provided. (Penal Code Section 841)
- 3.38.5 Given word-pictures or audio-visual presentations depicting an arrest to be made, the student will identify the time of day or night that an arrest may be made. (Penal Code Section 840)
- 3.38.6 Given word-pictures or audio-visual presentations depicting arrest situations, the student will identify what the peace officer is required to do with the person arrested. (Penal Code Sections 825, 848, 849, 851.5, 853.5 and 853.6)
- 3.38.7 Given word-pictures or audio-visual presentations depicting an officer(s) entering the premises to make an arrest, the student will identify those situations where the legal requirements of such entry were fulfilled by the officer(s). (Penal Code Section 844)
- 3.38.8p The student will identify the requirements placed upon a private person making an arrest of another: (Penal Code Section 847)
- A. Duty to take prisoner before magistrate without unnecessary delay, or
B. Deliver prisoner to peace officer
- 3.38.9 Given word-pictures or audio-visual presentations depicting "private person"

arrests, the student will determine if the arrest is legal. (Penal Code Section 837)

3.38.12 The student will identify the instances where a peace officer is not civilly liable for false arrest or false imprisonment arising out of an arrest. (Penal Code Sections 836.5, and 847)

3.38.13p Given word-pictures or audio-visual presentations, the student will identify the following legal exceptions to an arrest:

- A. Diplomatic immunity (22 US Const. 252)
- B. "Stale misdemeanor" rule (Hill v. Levy, 117 C.A. 2nd, 667) (Roynin v. Battin, 55 CA 2nd, 861)
- C. "Congressional exceptions" (Art. 1, Section 6, US Const.) and (Art. 4, Section 2, Cal. Const.)

Effects of Force

7.1.1 ~~The student will identify the following~~
(le) ~~effects that training has on the~~
~~psychological and physiological forces which~~
~~affect a person threatened with danger. The~~
~~student will participate in an instructor-~~
~~led classroom discussion which examines the~~
~~psychological and physiological forces which~~
~~affect a person threatened with danger that~~
~~will minimally consider:~~

- A. Confidence in one's abilities
- B. Development of instinctive reaction
- C. Mental alertness and concentration
- D. Self-control over emotions and body

Equivalent experience gained through the use of appropriately designed workbooks, computer assisted instruction, or audio-visual instruction is also acceptable.

7.1.2 The student will identify the possible criminal and civil liabilities that are attached through the use of force in a law enforcement situation. These include:

- A. Personal compensatory and punitive civil tort actions
- B. Personal criminal actions for improper

- use of authority or force
- C. Personal civil rights violations, both federal and state
- D. Agency liability under the "master/servant" rule
- E. Agency liability under federal civil rights laws
- F. Agency liability under "failure to train" or failure to supervise" tort theories

Reasonable Force

- 7.2.1 The student will identify "reasonable force" as indicated in PC 835 and 835(a).
- 7.2.2 Given word-pictures or audio-visual presentations depicting arrest situations where deadly force is not necessary, the student will identify the amount of force that may be used in each arrest. (Penal Code Sections 835a and 843)
- 7.2.3p The student will identify ~~the term~~ "reasonable force" and the limitations most commonly imposed on its use of force by law enforcement agency policies.
 - A. In effecting an arrest, force should be used only when other alternatives have failed
 - B. Force must be no more than is necessary to effect an arrest
 - C. Force is to be viewed primarily as a defensive measure
 - D. All uses of force shall be documented

Deadly Force

- 7.3.1p Given word-pictures or audio-visual presentations involving homicide by a public officer, the student will ~~correctly~~ identify when the homicide is justifiable. (Penal Code Section 196)
- 7.3.2 Given a direct question or an example, the student will identify the factors required to establish the "sufficiency of fear" requirement for the use of deadly force in a justifiable homicide. (Penal Code Section 198)

- A. Circumstances must be sufficient to excite the fears of a reasonable person
- B. Person acting must have acted under the influence of such fears alone
- C. To save self or another from death or great bodily harm

7.3.3p Given a direct question or an example, the student will identify the appropriate factors which an officer must consider when faced with a use of deadly-force ~~law enforcement~~ situation. These factors include:

- A. The type of crime and suspect(s) involved
- B. The threat to the lives of other persons, both in the present situation and in future situations
- C. The surrounding environment, background, buildings, or vehicles
- D. The legal basis, and agency policy, if applicable
- E. The officer's present capabilities
- F. The suspect's capabilities, including potential use of weapons
- G. The immediacy of the threat

7.3.4p The student will identify the most common conditions found in ~~law enforcement~~ agency policies regarding the use of deadly force in an ~~law enforcement~~ situation. This will minimally include:

- A. Defense of self or others when immediate threat to life or threat of great bodily injury exists
- B. Shooting at non-violent fleeing felons
- C. Warning shots
- D. Shooting at juveniles
- E. Shooting at or from moving vehicles

7.3.5p Given word-pictures or audio-visual presentations depicting situations where deadly force may be necessary, the student will identify state with each situation whether to shoot or not to shoot. (Penal Code Sections 835a and 843 and agency departmental policy)

Illegal Force Against Prisoners

11.3.1p The student will ~~explain~~ identify the

following provisions of Penal Code Section 147 pertaining to willful inhumanity or oppression toward prisoners in the custody of a peace officer.

- A. Every officer
- B. Guilty of wilful inhumanity or oppression
- C. Toward any prisoner under his/her care or in custody

11.3.2p The student will identify the following provisions of Penal Code Section 149 pertaining to assaulting a prisoner "under color of authority."

- A. Every public officer
- B. Under color of authority
- C. Without lawful necessity
- D. Assaults or beats any person

C.D LAWS OF EVIDENCE

Concepts of Evidence

4.1.1p ~~The student will identify the following:~~
Given an example of evidence and the fact that it is intended to prove, the student will identify it as either direct evidence or circumstantial evidence.

- A. Evidence
- B. Direct evidence
- C. Circumstantial evidence

4.1.2p ~~The student will identify the following types of evidence or material related to the introduction of evidence in court and will recognize an example of each:~~
Given an example of evidence and the fact that it is intended to prove, the student will identify which of the following categories the evidence belongs in:

- A. Fruits of a crime
- B. Instrumentalities of a crime
- C. Contraband
- D. Other direct or circumstantial evidence

4.1.3 The student will identify the following purposes for offering evidence in court:

- A. As an item of proof
- B. To impeach a witness
- C. To rehabilitate a witness
- D. To assist in determining sentence

4.1.4 The student will identify the following minimal tests which an item of evidence must successfully pass before it may be admitted into any criminal court. (Evidence Code Section 210)

- A. The evidence must be relevant to the matter in issue
- B. The evidence must be competently presented in court
- C. The evidence must have been legally obtained

4.1.5 The student will identify the main purpose of the "Rules of Evidence" as protecting the jury from seeing or hearing evidence that is:

- A. Likely to confuse the issues (e.g., irrelevant or unreliable evidence)
- B. Unfairly prejudicial (e.g., other "bad" acts of the defendant unrelated to the charges)
- C. Unduly time consuming to present in court

Rules of Evidence

4.6.1p The student will identify the the following as effects of the "exclusionary rule" upon police enforcement actions and procedures in the following areas: (Evidence Code and Case Law)

- A. Civil rights violations
- B. Inadmissible evidence
- C. Possibility of false arrest

4.6.2p The student will identify the definition of the Hearsay Rule. Given the following definition (or a paraphrase of the definition), the student will identify "hearsay evidence" as the term defined. Definition: "Hearsay evidence" is evidence of a statement that was made other than by a witness while testifying at the hearing and that is offered to prove the truth of the

matter stated. (Evidence Code Section 1200)

4.6.3 The student will identify the following exceptions to the Hearsay Rule. (Evidence Code Section 1220)

- A. Spontaneous statements
- B. Admissions
- C. Confessions
- D. Dying declarations

Search Concepts

4.7.1p The student will identify the conditions under which the following types of legally authorized searches may be made: (Case Law Decisions)

- A. Consent searches
- B. Contemporaneous to arrest
- C. Probable cause searches
- D. A search warrant
- E. Plain sight
- F. Exigent circumstances
- G. Cursory Search (Frisk)
- H. Conditions of Probation or Parole

4.7.2 The student will identify the following items as those for which an officer may legally search (Case Law Decisions):

- A. Dangerous weapons
- B. Fruits of the crime
- C. Instruments of the crime
- D. Contraband
- E. Suspects
- F. Additional Victims

4.7.4 The student will identify the definition of the following terms relative to search (Case Law Decisions):

- A. Consent
- B. Scope of searches
- C. Contemporaneous
- D. Probable cause
- E. Instrumentalities of a crime
- F. Contraband
- G. Knock and notice
- H. Container search doctrine

Seizure Concepts

- 4.8.1p Given word-pictures or audio-visual presentations ~~depicting where force is used to prevent a suspect from swallowing evidence~~, the student will identify those situations where force is justified to lawfully obtain evidence including:
- A. Preventing a suspect from swallowing evidence
 - B. Taking blood samples
 - C. Taking fingerprints
- ~~4.8.2 The student will identify an example wherein inducing a suspect to vomit would be legally justified. (Case Law)~~
- ~~4.8.3 The student will identify an example wherein the use of force to extract blood evidence from a suspect would be legally justified. (Case Law)~~
- ~~4.8.4 The student will identify an example wherein the use of force to extract fingerprint evidence from a suspect would be legally justified. (Case Law)~~
- ~~4.8.5 The student will identify an example wherein the suspect would have no legal rights to refuse to give handwriting exemplars. (Case Law)~~

E. COMMUNICATIONS

Interpersonal Communications

- 5.1.1 (1e) The student will participate in an ungraded exercise where he/she assumes the role of a peace officer while the instructor or a classmate assumes the role of a violator, suspect, or inmate. The person playing the violator, suspect, or inmate will be uncooperative and antagonistic. The student's performance will be critiqued by the instructor and his classmates with respect to the following:
- A. Emotional control
 - B. The appropriate use of body language and other nonverbal communication
 - C. Avoid the use of profanity or other

language likely to provoke a physical confrontation

D. Avoid the use of occupational jargon

Equivalent experience gained through the use of appropriately designed workbooks, computer assisted instruction, or audio-visual programs is also acceptable.

5.1.3
(le)

The student will participate in an instructor-led classroom discussion which examines techniques for coping with individuals exhibiting difficulty communicating due to irrational behavior and age during stressful situations. Discussion will minimally consider:

A. Avoidance of factors that develop a negative response

B. Exhibiting patience

C. Maintaining awareness of verbal/non verbal factors which are indicative of potential aggressive action

Equivalent experience gained through the use of appropriately designed workbooks, computer assisted instruction, or audio-visual programs is also acceptable.

Notetaking

5.2.1

The student will identify the following uses of field notes:

A. Basis for writing reports

B. Reduces the need to recontact parties involved

C. Provides a greater degree of accuracy relative to times, statements and events than memory alone

5.2.3p

Given simulated enforcement situations, the student will demonstrate the ability to take neat, accurate and complete notes. Completeness shall consider:

A. Suspects

B. Victims

C. Witnesses

D. Date(s) and time(s) of occurrence

E. Exact location of occurrence and persons involved

- F. Any other important information, i.e., case number, location and chain of evidence, assisting officer's activity, type of incident

Introduction to Report Writing

5.3.1p The student will identify the following uses of written reports:

- A. Record facts into a permanent record
- B. Provide coordination of follow-up activities and investigative leads
- C. Provide basis for prosecution and use by defense
- D. Provide a source for officer evaluation
- E. Provide statistical data
- F. Provide reference material

5.3.2 The student will identify the following characteristics as essential to a good report:

- A. Accuracy
- B. Conciseness
- C. Completeness
- D. Clarity
- E. Legibility
- F. Objectivity
- G. Grammatically correct
- H. Correct Spelling

5.3.3 The student will identify the following questions as those that should be answered by a complete report:

- A. Who
- B. What
- C. When
- D. Where
- E. Why
- F. How

Interviewing

10.8.1p The student will identify the following steps which an officer should take in preparing for an interview:

- A. Review existing information about the case and the person to be interviewed
- B. Select a proper time and place which will

be conducive to the purpose of the interview

C. Develop a list of questions

D. Make preparations for documenting the interview

F. INVESTIGATION

Interrogation

8.8.1p The student will identify the case law requirements for administration of "Miranda rights" by ~~field~~ peace officers including:

A. Police initiated interrogation

B. Questioning begins to focus on one particular person regarding a particular act (questioning moving beyond investigatory state toward custodial interrogation)

C. Evidence sought would incriminate suspect

D. While in custody or significantly detained

E. Waiver must be obtained and made knowingly, intelligently and voluntarily

F. Exceptions- volunteered or spontaneous statements or questioning pursuant to the Emergency Rescue Doctrine

8.8.3p The student will identify the differences for administration of "Miranda rights" for juveniles including:

A. Any juvenile upon being taken into "temporary custody" must be advised regardless of the intent to interrogate (W. & I. Section 625 and In re Galt)

B. No waiver should be sought if the officer does not intend to interrogate

Preliminary Investigation

10.1.4p The student will identify the primary reasons to deny access to a crime scene by unauthorized persons including:

A. Contamination/destruction of evidence

B. Interference with preliminary investigation

C. Protection of victim's rights and property

10.1.5p The student will identify the most commonly used techniques for protecting a crime scene including:

- A. Establish a perimeter
- B. Secure assistance from others if needed
- C. Keep unauthorized persons out
- D. Maintain list of names of persons allowed access (law enforcement and others)

Identification, Collection, and Preservation of Evidence

10.6.1 Given a description of a crime scene, the student will identify those items which should be treated as evidence.

10.6.2p Given descriptions of situations in which the ~~descriptions of~~ following types of evidence must be collected, the student will identify the appropriate methods for collecting, marking (or tagging) and/or packaging evidence.

- A. Fingerprints
- B. Tools and Toolmarks
- C. Firearms
- D. Bullets and projectiles
- E. Shoe Prints and Tiretracks
- F. Bite Marks
- G. Questioned Documents
- H. Paints
- I. Glass
- J. Fibers
- K. Hairs
- L. Body fluids
- M. Soil
- N. Hazardous materials

10.6.3p Given a description of a crime scene which includes the presence of fragile and non-fragile evidence, the student will identify the fragile items and the appropriate method for protecting each item from damage.

~~10.6.6 Given a description of a crime scene containing several pieces of evidence, the student will identify the "fragile evidence", and select the proper method for preserving it.~~

~~10.6.7 The student will identify the following items of evidence as those which corroborate child abuse charges:~~

- ~~A. Photographs of injuries and surroundings~~
- ~~B. Physician's report~~
- ~~C. Instruments or implements used in the crime~~
- ~~D. Diagrams and measurements~~
- ~~E. Materials applicable to the crime~~
- ~~F. Medical history indicating previous abuse~~
- ~~G. Witness statements~~

Chain of Custody

~~10.7.1p The student will identify what is meant by the term "chain of custody" and why it must be maintained. (Case Law) Given the following definition (or a paraphrase of the definition), the student will identify "chain of custody", as the term defined.~~

~~Definition: In evidence, the one who offers real evidence, such as narcotics in a trial of a drug case, must account for the custody of the evidence from the moment in which it reaches his custody until the moment in which it is offered in evidence, and such evidence goes to weight not to admissibility of evidence.~~

~~10.7.2 Given a word picture of a situation where evidence was collected and list made of the evidence, the student will complete the necessary forms generally utilized by law enforcement to insure the chain of custody.~~

~~10.7.3p The student will identify the elements which must be documented to maintain the "chain of custody" including:~~

- ~~A. Who found the item~~
- ~~B. Where it was found~~
- ~~C. Who recovered and marked~~
- ~~D. Who transported it~~
- ~~E. Where it was booked~~
- ~~F. Item's condition before and after handling~~

G. ARREST AND CONTROL

Principles of Weaponless Defense

12.6.1 The student will identify the basic principles of weaponless defense:

- A. Balance
- B. Awareness
- C. Self-control

12.6.2 The student will identify the danger areas of the body which are:

- A. Most vulnerable to physical attack
- B. Potentially fatal

12.6.3p The student will identify the following body parts which can be used to overcome resistance:

- A. Head- by butting
- B. Hands- fists, palm, fingers
- C. Arms- elbows, forearms
- D. Feet- ball, heel
- E. Legs- knees

12.6.4 The student will demonstrate a control hold.

12.6.5 The student will demonstrate a recognized "take-down" tactic.

Armed Suspect/Weaponless Defense/Weapons Retention

12.7.2 Given an exercise simulating an armed suspect, the student will demonstrate foot movements which will allow him/her to enter/avoid suspect's position.

12.7.3 (le) The instructor will demonstrate various techniques and mental preparation which can be used in disarming a suspect with various types of weapons. The dangers and tactics involved will be discussed. Techniques will minimally include:

- A. Front Hand Gun Take-Away Technique
- B. Rear Gun Take-Away Technique
- C. Rear-Long Gun Take-Away
- D. Front Long Gun Take-Away

Equivalent experience gained through the use of appropriately designed workbooks, computer assisted instruction, or audio-visual programs is also acceptable.

12.7.7 (le) The instructor will demonstrate recognized methods for weapons retention from both holstered and in-hand situations. Techniques will minimally include:

- A. Front Retention, Holstered Weapon
- B. Rear Retention, Holstered Weapon
- C. Unholstered Weapon Retention

Equivalent experience gained through the use of appropriately designed workbooks, computer assisted instruction, or audio-visual programs is also acceptable.

Person Search Techniques

8.14.1p The student will identify the considerations for searching individuals of the opposite sex including:

- A. Need to maintain officer safety
- B. Availability of female officers to conduct the search
- C. Need to be aware of sensitivity issues

8.14.2 The student will identify the following principles of the search of an individual which maximize the effectiveness of the search and the safety of the officer(s):

- A. Constant alertness
- B. Maintaining a position of control and "advantage"
- C. Thoroughness of search
- D. Safeguarding of weapons (officer's/suspect's)
- E. Search from the rear
- F. Search with one hand, control with the other
- G. Keep gun out of reach of suspect(s)
- H. Search systematically by use of proper hand technique
- I. If weapon found, notify back-up officer immediately and maintain control of suspect and weapon

8.14.3p The student will identify the common places where dangerous weapons or contraband can be located on a suspect's person:

- A. Hair

- B. Waistband
- C. Pockets
- D. Groin and other body cavities
- E. Small of back
- F. Ankles
- G. Clothing and items carried
- H. Underarm area

8.14.4 The student will identify the following responsibilities as being those of a "covering officer" when backing up another officer conducting a search of an individual(s):

- A. Protecting searching officer from outside interference
- B. Psychological intimidation of the person(s) being searched
- C. Physical assistance of search officer, if necessary
- D. Continuous observation of suspect(s)

Search/Control Simulation

8.18.2p Given an exercise, the student will safely and effectively conduct the following searches of a suspect(s):

- A. Visual search
- B. Cursory search
- C. High risk or arrest searches

All items of contraband or weapons which can reasonably be located within legal constraints will be located, and student will maintain personal safety and suspect's security.

Restraint Devices

8.19.1p The student will identify the most common limitations imposed by agencies regarding the use of restraint devices:

- A. Male and female prisoners should not be handcuffed together
- B. Juvenile prisoners should not be handcuffed to adult prisoners
- C. Mentally ill prisoners should always be handcuffed alone
- D. All prisoners should be transported for short distances with hands cuffed behind

- their backs
- E. Do not attach prisoners to a permanent object

8.19.2p The student will identify the following purposes of restraint devices used on prisoners:

- A. Restraint devices are a safety device for both the officer and the prisoner
- B. Restraint devices are used for temporary restraint to prevent attack, escape and the concealment or destruction of evidence/contraband/or property
- C. Restraint devices are used to prevent self-inflicted injury

8.19.3p In a simulated situation, the student will safely and effectively handcuff single and multiple suspects. This will minimally include the:

- A. Handcuffing of a single suspect
- B. Handcuffing of two suspects with a single pair of handcuffs
- C. Handcuffing three or more suspects together
- D. Maintaining constant control of the suspect
- E. Maintain constant control of the restraining device(s)
- F. Demonstrating double lock
- G. Maintaining reasonable degree of tightness of restraint devices
- H. Control positioning of suspect's hands
- I. Maintaining continuous observation of the suspect

Prisoner Transportation

8.20.1 The student will identify the proper method of transporting prisoners. This will minimally include:

- A. The search of the area in which the prisoners is/was seated before and after transportation
- B. Positioning of officer(s) and prisoner(s) within the vehicle
- C. Close observation of the prisoner(s)
- D. Use of seat belts

8.20.2p The student will identify the most common limitations imposed by agencies regarding the transportation of prisoners:

- A. Required application of seat belts to all prisoners
- B. Forbid transportation of adult females and males together in the same vehicle
- C. Specify a limited number of prisoners to be transported in each vehicle
- D. Require that in patrol cars with cages, prisoners be positioned only in the rear of the patrol car
- E. Forbid transportation of sick or injured prisoners in a patrol car

8.20.3 The instructor will demonstrate the safe and (le) secure positioning of prisoners for transportation. This will minimally include single and multiple prisoners while working alone and with a partner.

Equivalent experience gained through the use of appropriately designed workbooks, computer assisted instruction, or audio-visual programs is also acceptable.

FIREARMS COURSE

(Required for peace officers who carry firearms)

A. FIREARMS SAFETY

7.5.1 The student will demonstrate safe handling of handguns. This will minimally be done under the following conditions/situations:

- A. Loading and unloading revolvers and/or semi-automatic weapons
- B. Holstering and drawing handgun using agency authorized equipment
- C. Clearing malfunctions

B. HANDGUN FAMILIARIZATION

7.6.1 The student will identify the major parts of the semi-automatic and revolver-type service handgun with explanations of its basic mechanical functions.

C. CARE AND CLEANING

- 7.7.1 The student will demonstrate the proper care and cleaning of the service handgun.

D. FIREARMS SHOOTING PRINCIPLES

- 7.10.1 The student will demonstrate the principles of good marksmanship using the service handgun. The demonstration will minimally include:

- A. Stance
- B. Grip
- C. Breath control
- D. Sight alignment
- E. Trigger control
- F. Follow-through

- 7.10.2 The instructor will demonstrate the (1e) following shooting positions:

- A. Crouch
- B. Point shoulder
- C. Barricade (strong and weak hand)
- D. Prone
- E. Kneeling
- F. Hip

Equivalent experience gained through the use of appropriately designed workbooks, computer assisted instruction, or audio-visual programs is also acceptable.

E. FIREARMS RANGE

- 7.15.1p Given a daylight handgun combat range prescribed by POST, the student will achieve a POST-established passing score.

PROPOSED PC 832 COURSE HOURLY CHANGES

		Minimum Hours	
		<u>Existing</u>	<u>Proposed</u>
Arrest Course			
A.	Professional Orientation	4	4
B.	<u>Community Relations *</u>	-	2
C.	Law	12	12
D.	Laws of Evidence	4	3
E.	<u>Communications *</u>	-	5
F.	Investigation	3	2
G.	<u>Arrest and Control *</u>	-	10
	POST Examination	1	2

Minimum Total	24	40
---------------	----	----

Firearms CourseClassroom

- | | | | |
|----|------------------------------|----|---|
| | | 16 | |
| A. | Firearms Safety | - | 8 |
| B. | Handgun Familiarization | | |
| C. | Firearms Care and Cleaning | | |
| D. | Firearms Shooting Principles | | |

Range

- | | | | |
|----|---------------------------|---|----|
| | | - | 15 |
| E. | Firearms Range | - | 1 |
| | <u>POST Examination *</u> | | |

Minimum Total	16	24
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* New Topics

STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE

GEORGE DEUKMEJIAN, *Governor*
JOHN K. VAN DE KAMP, *Attorney General*

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

November 23, 1990

BULLETIN: 90-26
SUBJECT: PUBLIC HEARING - POST CURRICULUM AND HOURLY
REQUIREMENTS FOR THE PC 832 COURSE

A public hearing has been scheduled in conjunction with the January 1991 meeting:

Date: January 17, 1991
Time: 10:00 a.m.
Place: Holiday Inn on the Bay
San Diego, California

The hearing is to consider regulation changes concerning curriculum and hourly requirements for the PC 832 Introduction to Law Enforcement (Arrest and Firearms) Course. Under Penal Code Section 832, all peace officers, except those who complete a basic course, must complete this course of training. The PC 832 Course is currently a minimum of 40 hours. An additional 16 hours covering Communications and Arrest Methods is recommended, but not required. For several years, virtually all PC 832 courses have included the optional 16 hours, bringing the typical course presentation to 56 hours.

The proposed regulation change would: 1) include the content of the now optional Communications and Arrest Methods Course in the required Arrest Course, thereby increasing that module from 24 to 40 hours, 2) increase the time required for the Firearms Course from 16 to 24 hours, 3) include a skill test requirement for arrest methods (handcuffing, person search and weaponless defense), and 4) revise the Level III Reserve Course requirement to maintain consistency with the proposed PC 832 requirement.

These changes, which would increase the length of the overall required course to 64 hours, are intended to update POST's requirements for the PC 832 Course and to afford sufficient training hours for achievement of firearms proficiency.

To allow for test development, a delayed implementation date of July 1, 1992 is recommended for all proposed changes.

The attached Notice of Public Hearing, required by the Administrative Procedures Act, provides details concerning the proposed regulation changes and provides information regarding the hearing process. Inquiries concerning the proposed action may be directed to Kathy Delle, Staff Services Analyst, 1601 Alhambra Blvd., Sacramento CA 95816-7083, or by telephone at (916) 739-5400.

NORMAN C. BOEHM
Executive Director

Attachment

Commission on Peace Officer Standards and Training

NOTICE OF PUBLIC HEARING

CURRICULUM AND HOURLY REQUIREMENTS FOR THE PC 832 COURSE

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested by Section 13503 and 13506 of the Penal Code, and in order to interpret, implement and make specific Section 832 of the Penal Code, proposes to adopt, amend, or repeal regulations in Chapter 2 of Title 11 of the California Code of Regulations. A public hearing to adopt the proposed amendments will be held before the full Commission on:

Date: January 17, 1991
Time: 10:00 a.m.
Place: Holiday Inn - On The Bay
1355 North Harbor Drive
San Diego, California 92101

Notice is also hereby given that any interested person may present oral or written statements or arguments, relevant to the action proposed, during the public hearing.

INFORMATIVE DIGEST

Pursuant to Penal Code Section 832, all peace officers (except those who complete the Basic Course) are required to complete an introductory course of training prescribed by POST. POST currently requires a minimum 24-hour Arrest Course and, for those peace officers who carry firearms, an additional 16-hour Firearms Course, for a total 40-hour requirement with specified curriculum. It is recommended (but not required) that peace officers who make arrests complete an additional 16-hour Communications and Arrest Methods Course. Level III Limited Function Reserve Peace Officers are required to also complete the Communications and Arrest Methods Course.

It is proposed that Commission Regulation 1081, Minimum Standards for Approved Courses, be amended to reflect the following changes in subsection (a) (1):

- 1) Arrest Course Curriculum - add 25 new, and delete 10 existing, performance objectives, add 9 required "learning experiences", and convert 3 existing objectives to learning experiences;
- 2) Firearms Course Curriculum - add one required learning experience;

- 3) Increase the Arrest Course hours from 24 to 40, and the Firearms Course hours from 16 to 24; and
- 4) Make technical changes by deleting performance objectives and incorporating by reference the document, "POST Curriculum Requirements for the PC 832 Course - 1992".

It is also proposed that Commission Procedures H-3 and H-5 (Reserve Officer Training Requirements) be amended to modify Module A (Level III Reserves) by deleting reference to the 16-hour Communications and Arrest Methods Course and reflecting the above changes to the PC 832 Course. Commission Procedures H-3 and H-5 are incorporated by reference into Commission Regulations 1005 and 1007, respectively.

The recommended increase in hours is to accommodate the additional curriculum and reflect the time actually needed to conduct the instruction. (Most of the proposed curriculum additions are from the currently optional 16-hour Communications and Arrest Methods Course.) Sixty of the 62 presenters of the PC 832 Course currently exceed the minimum POST hourly requirements, with the overwhelming majority already including the proposed curriculum additions.

The POST PC 832 Interactive Training Program, which already includes all of the existing and proposed curriculum, can be used by training presenters in a self-paced mode to expedite the instruction and waive minimum course hours.

It is also proposed to modify Commission Regulation 1080 (PC 832 Course Testing Requirements) to expand firearms skill testing to include other skills (e.g., weaponless defense, search of prisoners and handcuffing) because the proposed curriculum additions include these additions.

A one-year delayed implementation date of July 1, 1992 is proposed to allow for planning by training presenters and for POST test development. Until that date, presenters will be required to continue complying with the existing requirement to correspond with POST testing.

PUBLIC COMMENT

The Commission hereby requests written comments on the proposed actions. All written comments must be received at POST no later than 4:30 p.m. on January 7, 1991. Written comments should be directed to Norman C. Boehm, Executive Director, Commission on Peace Officer Standards and Training, 1601 Alhambra Blvd., Sacramento, CA 95816-7083.

ADOPTION OF PROPOSED REGULATIONS

After the hearing and consideration of public comments, the Commission may adopt the proposals substantially as set forth without further notice. If the proposed text is modified prior to adoption and the change is related but not solely grammatical or nonsubstantial in nature, the full text of the resulting regulation will be made available at least 15 days before the date of adoption to all persons who testified or submitted written comments at the public hearing, all persons whose comments were received by POST during the public comment period, and all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date on which the revised text is made available.

TEXT OF PROPOSAL

Copies of the Statement of Reasons and exact language of the proposed action may be obtained at the hearing, or prior to the hearing upon request in writing to the contact person at the address below. This address also is the location of all information considered as the basis for these proposals. The information will be maintained for inspection during the Commission's normal business hours (8 a.m. to 5 p.m.).

ESTIMATE OF ECONOMIC IMPACT

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Small Business Impact: None

Cost Impact on Private Persons or Entities: None

Housing Costs: None

CONSIDERATION OF ALTERNATIVES

In order to take this action, the Commission must determine that no alternative considered by the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Inquiries concerning the proposed action and requests for written material pertaining to the proposed action should be directed to Kathy Delle, Staff Services Analyst, 1601 Alhambra Blvd., Sacramento, CA 95816-7083, or by telephone at (916) 739-5400.

Commission on Peace Officer Standards and Training

PUBLIC HEARING: CURRICULUM AND HOURLY REQUIREMENTS
FOR THE PC 832 COURSE

1080. PC 832 ~~COURSE~~ Course Testing Requirements

- (a) Pursuant to Section 832(a) of the Penal Code, persons who receive PC 832 training as a stand-alone POST-certified course or as part of a larger POST-certified course shall demonstrate satisfactory completion of the training by passage of a POST-developed or POST-approved examination or examinations. Passage of a written examination shall be required for the ~~arrest procedures~~ cognitive (knowledge) curriculum; passage of a ~~skills~~ performance examinations shall be required for the ~~firearms~~ noncognitive (skills) curriculum. This regulation does not apply to persons who satisfactorily complete the POST Regular Basic Course.

(1) Examination Procedures:

- (A) All ~~original~~ examinations required by this section shall be administered immediately following the conclusion of the required PC 832 instruction ~~in POST-certified courses~~.
- (B) All examinations shall be scored pass/fail.
- (C) Administration and scoring of the written examination shall be delegated to qualified course presenters who have received training in the administration of the examination and who agree to abide by the terms of a formal test security agreement; the ~~firearms~~ skills examinations shall be administered and scored by the ~~firearms instructor(s)~~ course presenter with the POST-specified ~~course of fire and procedures and~~ passing scores.
- (D) All examination results shall be mailed to POST by course presenters within 2 working days of the date of testing.

(2) ****

Authority: PC 13503, 13506

Reference: PC 832

(Note: This language is predicated upon approval by the Office of Administrative Law of public hearings held January 18, 1990, July 19, 1990 and November 1, 1990; and proposed revisions with no public hearings scheduled and published in the Notice Register February 23, 1990 and August 24, 1990.)

PROPOSED LANGUAGE FOR REGULATION CHANGE

1081. Minimum Standards for Approved Courses

- (a) Approved courses, as specified in Commission Regulation 1005(g), pertain to training mandated by the Legislature for various kinds of peace officers and other groups for which the Commission has responsibility to establish minimum standards. Approved courses shall meet the following minimum content and hours.

- (1) Arrest and Firearms (Penal Code Section 832) - ~~40~~ 64 Hours
(Certified course; requirement satisfied by Basic Course.)

~~Arrest Course (24 Hours)~~

~~(Required for all peace officers)~~

~~(A) Professional Orientation (4 Hours)~~

~~1. Law Enforcement Profession (1.2.0*)~~

~~Learning Goal:~~

~~The student will understand the professional aspects of law enforcement.~~

~~Performance Objectives~~

~~The student will identify the basic principles of a "profession." (1.2.1)~~

~~2. Ethics (1.3.0)~~

~~Learning Goal:~~

~~The student will understand the concept of ethics in law enforcement.~~

~~Performance Objectives~~

~~The student will identify why law enforcement officers, both on and off duty should exemplify~~

~~the highest ethical and moral standards.~~
~~(1.3.1)~~

~~The student will identify the key elements of the "Law Enforcement Code of Ethics" and the "Code of Professional Conduct and Responsibilities for Peace Officers." (1.3.2)~~

~~*POST Performance Objective Number; subsequently referred to by number only.~~

~~3. Unethical Behavior (1.4.0)~~

~~Learning Goal:~~

~~The student will understand those actions which constitute unethical behavior of a peace officer and their consequences.~~

~~Performance Objectives~~

~~The student will identify and evaluate methods for handling unethical and/or criminal conduct on the part of a fellow officer. (1.4.1)~~

~~The student will identify problems associated with an officer's nonenforcement of specific laws by personal choice. (1.4.2)~~

~~The student will identify problems associated with an officer's acceptance of gratuities. (1.4.3)~~

~~The student will identify why it is necessary for an officer to take positive action when becoming aware of unethical and/or criminal conduct on the part of a fellow officer. (1.4.4)~~

~~4. Administration of Justice Components (1.7.0)~~

~~Learning Goal:~~

~~The student will have general knowledge of the components of the administration of justice system.~~

~~Performance Objectives~~

~~Given the three criminal justice system components (law enforcement, judicial, corrections), the student will identify to~~

~~which component of the criminal justice system
the following operational positions belong:
(1.7.1)~~

- ~~a. Judge~~
- ~~b. Prosecuting Attorney~~
- ~~c. Defense Attorney~~
- ~~d. Probation Officer~~
- ~~e. Parole Officer~~
- ~~f. Correctional Officer~~
- ~~g. Local Police~~
- ~~h. Sheriff~~
- ~~i. Victim/Witness Services~~

~~The student will identify the following major
goals of the criminal justice system: (1.7.2)~~

- ~~a. Guaranteeing due process~~
- ~~b. Crime prevention~~
- ~~c. Protection of life and property~~
- ~~d. Apprehension of offender~~
- ~~e. Enforcement of law~~
- ~~f. Equal justice~~
- ~~g. Assures victim's rights~~

~~5. California Court System (1.9.0)~~

~~Learning Goal:~~

~~The student will understand and have a working
knowledge of the organization and operation of
the California court system.~~

~~Performance Objectives~~

~~The student will identify the organizational
structure and primary responsibility of the
following California courts. (1.9.1)~~

- ~~a. Justice Court~~
- ~~b. Municipal Court~~
- ~~c. Superior Court~~
- ~~d. District Court of Appeal~~
- ~~e. State Supreme Court~~

~~The student will identify the purposes of the
following judicial processes in criminal cases:
(1.9.2)~~

- ~~a. Bail~~
- ~~b. Arraignment~~
- ~~c. Preliminary hearing~~

- d. ~~Indictment~~
- e. ~~Trial~~

6. ~~Discretionary Decision Making (1.11.0)~~

~~Learning Goal:~~

~~The student will have a general understanding of a law enforcement officer's discretionary authority, constraints, consequences, and process in making decisions.~~

~~Performance Objectives~~

~~The student will identify the steps involved in problem solving including: (1.11.1)~~

- a. ~~Identifying the problem~~
- b. ~~Analyzing the problem~~
- c. ~~Developing alternatives~~
- d. ~~Selecting solution~~
- e. ~~Implementing decision~~
- f. ~~Evaluating action~~

~~The student will identify the most common limitations of officer discretion including: (1.11.2)~~

- a. ~~Law~~
- b. ~~Departmental policy and procedure~~
- c. ~~Departmental goals and objectives~~

~~The student will identify the potential consequences of an officer's application of discretionary decision making including: (1.11.3)~~

- a. ~~Death or injury~~
- b. ~~Additional crime~~
- c. ~~Civil and vicarious liability~~
- d. ~~Officer discipline~~
- e. ~~Embarrassment to department~~

~~Given various word pictures, audio visual presentations, or simulated incidents, the student will identify which of the following are acceptable decisions: (1.11.4)~~

- a. ~~Arrest~~
- b. ~~Citation and Release~~
- c. ~~Referral~~
- d. ~~Verbal Warning~~
- e. ~~No Action~~

~~B. Law (12 Hours)~~

~~1. Introduction to Law (3.1.0)~~

~~Learning Goal:~~

~~The student will understand and have a working knowledge of the legal principles upon which criminal law in California operates.~~

~~Performance Objectives~~

~~The student will identify the difference between "spirit of the law" and "letter of the law." (3.1.1)~~

~~The student will identify the difference between "common law" and "statutory law" in relation to California law. (3.1.2)~~

~~The student will identify how case decisions affect and clarify statutory law (Stare Decisis). (3.1.3)~~

~~2. Crime Elements (3.2.0)~~

~~Learning Goal:~~

~~The student will understand and have a working knowledge of the basic elements of crimes as defined in California law.~~

~~Performance Objectives~~

~~The student will identify each of the following as being necessary elements of "a crime" as defined by California Penal Code Section 15: (3.2.1)~~

- ~~a. An act or omission~~
- ~~b. In violation of statutory law~~
- ~~c. For which there is a punishment~~

~~The student will identify the various types of crimes as felonies, misdemeanors, or infractions by either definition, name, punishment factors, or limitations. (3.2.2)~~

~~The student will identify "corpus delicti" as defined in California criminal law. (Evidence Code) (3.2.3)~~

~~3. Intent (3.3.0)~~

~~Learning Goal:~~

~~The student will understand and have a working knowledge of the concept of "intent" in California criminal law.~~

~~Performance Objectives~~

~~The student will identify the following types of "intent" recognized in California criminal law: (3.3.1)~~

- ~~a. Specific~~
- ~~b. Transferred~~
- ~~c. General~~
- ~~d. Criminal negligence (Evidence Code)~~

~~4. Parties to a Crime (3.4.0)~~

~~Learning Goal:~~

~~The student will understand and have a working knowledge of the concept of "parties to a crime."~~

~~Performance Objectives~~

~~The student will identify "principal" and "accessory" as defined by California law. (Penal Code Sections 30-32) (3.4.1)~~

~~The student will identify "accomplice" as defined by California law. (Penal Code Section 1111) (3.4.2)~~

~~5. Defenses (3.5.0)~~

~~Learning Goal:~~

~~The student will understand and have a working knowledge of the concept of entrapment, and who is legally incapable of committing a crime in California.~~

~~Performance Objectives~~

~~The student will correctly identify entrapment as recognized by California case decisions. (3.5.1)~~

~~The student will identify those persons who are legally incapable of committing a crime in the State of California. (Penal Code Sections 26, 27, 28, and 29) (3.5.2)~~

~~6. Probable Cause (3.6.0)~~

~~Learning Goal:~~

~~The student will understand and have a working knowledge of the concept of "probable cause."~~

~~Performance Objectives~~

~~The student will identify the following elements of "reasonable suspicion" as those required to lawfully stop, detain or investigate a person: (3.6.1)~~

- ~~a. Specific articulated facts~~
- ~~b. Crime related activity that has occurred or is about to occur~~
- ~~c. Involvement by the person to be detained in the crime related activity.~~

~~Given word pictures or audio visual presentations depicting instances where "probable cause" for police action may or may not exist, the student will identify its presence or absence and reasons behind his/her decision. (3.6.2)~~

~~7. Obstruction of Justice (3.8.0)~~

~~Learning Goal:~~

~~The student will understand and have a working knowledge of the laws relative to obstruction of justice and how to identify the elements.~~

~~Performance Objectives~~

~~Given word pictures or audio visual presentations depicting the possible offering or accepting of a bribe, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 67 and 68) (3.8.1)~~

~~Given word pictures or audio visual~~

~~presentations depicting possible perjuries, the student will determine if the crime is complete and will, in any situation where the crime is complete, identify the crime by its common name and crime classification. (Penal Code Sections 118 and 126) (3.8.2)~~

~~Given word pictures or audio visual presentations depicting the possible refusal by an officer to accept an arrested person, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 142) (3.8.3)~~

~~Given word pictures or audio visual presentations depicting the possible impersonation of an officer, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Sections 146a and 538d) (3.8.4)~~

~~Given word pictures or audio visual presentations depicting the possible threat or obstructing of an officer in the fulfillment of his/her duties, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Sections 69, 71, 136, and 148) (3.8.5)~~

~~Given word pictures or audio visual presentations depicting the possible filing of a false police report, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Sections 148.3 and 148.5) (3.8.6)~~

~~Given word pictures or audio visual presentations depicting the possible refusal to join "posse comitatus," the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 150) (3.8.7)~~

~~8. Constitutional Rights Law (3.37.0)~~

~~Learning Goal:~~

~~The student will understand and have a working knowledge of the basic constitutional rights of person(s) suspected or accused of a crime.~~

~~Performance Objectives~~

~~The student will identify the provisions of the following amendments to the U.S. Constitution and the impact each has upon a peace officer's duties: (3.37.1)~~

- ~~a. 1st Amendment~~
- ~~b. 4th Amendment~~
- ~~c. 5th Amendment~~
- ~~d. 6th Amendment~~
- ~~e. 8th Amendment~~
- ~~f. 14th Amendment~~

~~Given a description of an act in violation of Title 18, Chapter 13, Section 241 of the U.S. Code, the student will identify the violation by chapter and section of U.S. Code and by its crime classification. (3.37.3)~~

~~Given a description of an act in violation of Title 18, Chapter 13, Section 242 of the U.S. Code, the student will identify the violation by chapter and section of U.S. Code and by its crime classification. (3.37.4)~~

~~9. Laws of Arrest (3.38.0)~~

~~Learning Goal~~

~~The student will understand and have a working knowledge of the laws of arrest as defined in the Penal Code.~~

~~Performance Objectives~~

~~The student will describe the peace officer's authority to arrest. (Penal Code Section 836 and Vehicle Code Sections 40301-40325) (3.38.1)~~

~~The student will identify the elements of an arrest. (Penal Code Sections 834 and 835) (3.38.2)~~

~~Given word pictures or audio visual presentations depicting differing arrest situations, the student will identify the amount of force that may be used when effecting an arrest. (Penal Code Sections 834(a) and 843) (3.38.3)~~

~~Given word pictures or audio visual presentations depicting arrest situations, the student will explain what information the person arrested must be provided and at what time it must be provided. (Penal Code Section 841) (3.38.4)~~

~~Given word pictures or audio visual presentations depicting an arrest to be made, the student will identify the time of day or night an arrest may be made. (Penal Code Section 840) (3.38.5)~~

~~Given word pictures or audio visual presentations depicting arrest situations, the student will identify what the peace officer is required to do with the person arrested. (Penal Code Sections 825, 848, 849, 853.5 and 853.6) (3.38.6)~~

~~Given word pictures or audio visual presentations depicting an officer(s) entering the premises to make an arrest, the student will identify those situations where the legal requirements of such entry were fulfilled by the officer(s). (Penal Code Section 844) (3.38.7)~~

~~The student will identify the requirements placed upon a person making an arrest of another. (Penal Code Section 847) (3.38.8)~~

~~Given word pictures or audio visual presentations depicting "private person" arrests, the student will determine if the arrest is legal. (Penal Code Section 837) (3.38.9)~~

~~The student will identify the instances where a peace officer is not civilly liable for false arrest or false imprisonment arising out of an arrest. (Penal Code Sections 836.5, 839, and 847) (3.38.12)~~

~~The student will identify the following legal~~

~~exceptions to arrest: (3.38.13)~~

- ~~a. Diplomatic immunity (22 US Code 252)~~
- ~~b. "Stale misdemeanor" rule (Hill v. Levy, 117 C.A. 2nd, 667) (Roynin v. Battin, 55 CA 2nd, 861)~~
- ~~c. "Congressional exceptions" (Art. 1, Section 6, US Const.) and (Art. 4, Section 2, Cal, Const.)~~

~~10. Effects of Force (7.1.0)~~

~~Learning Goal:~~

~~The student will understand the psychological and physiological effects and liabilities of the use of force.~~

~~Performance Objectives~~

~~The student will identify the following effects that training has on the psychological and physiological forces which affect a person threatened with danger: (7.1.1)~~

- ~~a. Confidence in one's abilities~~
- ~~b. Development of instinctive reaction~~
- ~~c. Mental alertness and concentration~~
- ~~d. Self control over emotions and body~~

~~The student will identify the liabilities that are attached to an officer and an agency through the use of force. (7.1.2)~~

~~11. Reasonable Force (7.2.0)~~

~~Learning Goal:~~

~~The student will understand the use of reasonable force in police activity.~~

~~Performance Objectives~~

~~The student will identify "reasonable force" as indicated in PC 835 and 835(a). (7.2.1)~~

~~Given word pictures or audio visual presentations depicting arrest situations where deadly force is not necessary, the student will identify the amount of force that may be used in each arrest. (Penal Code Sections 835a and 843) (7.2.2)~~

~~The student will identify the term "reasonable force" and the limitations most commonly imposed on its use by law enforcement agency policies. (7.2.3)~~

~~12. Deadly Force (7.3.0)~~

~~Learning Goal:~~

~~The student will understand the factors involved in the use of deadly force.~~

~~Performance Objectives~~

~~Given word pictures or audio visual presentations involving homicide by a public officer, the student will correctly identify when the homicide is justifiable. (Penal Code Section 196) (7.3.1)~~

~~The student will explain the legal relationship between fear and the use of deadly force. (Penal Code Section 198) (7.3.2)~~

~~The student will list the following considerations which an officer must consider when faced with the use of deadly force: (7.3.3)~~

- ~~a. The type of crime and suspect(s) involved~~
- ~~b. The threat to the lives of innocent persons, both present and future~~
- ~~c. The environment~~
- ~~d. The law and agency policy~~
- ~~e. The officer's present capabilities~~
- ~~f. The threatening weapon's capabilities~~
- ~~g. The immediacy of the threat~~

~~The student will identify the most common conditions found in law enforcement agency policies regarding the use of "deadly force." (7.3.4)~~

~~This will minimally include:~~

- ~~a. Defense of self or others when immediate threat to life exists~~
- ~~b. Shooting at non-violent fleeing felons~~
- ~~c. Warning shots~~

~~Given word pictures or audio visual presentations depicting situations where deadly~~

~~force may be necessary, the student will state with each situation whether to shoot or not to shoot. (Penal Code Sections 835a and 843 and departmental policy) (7.3.5)~~

~~13. Illegal Force Against Prisoners (11.3.0)~~

~~Learning Goal:~~

~~The student will understand that illegal force cannot be used against a prisoner.~~

~~Performance Objectives~~

~~The student will explain the provisions of Penal Code Section 147 pertaining to willful inhumanity or oppression toward prisoners in the custody of a peace officer. (11.3.1)~~

~~The student will identify the provisions of Penal Code Section 149 pertaining to assaulting a prisoner "under color of authority." (11.3.2)~~

~~C. Laws of Evidence (4 Hours)~~

~~1. Concepts of Evidence (4.1.0)~~

~~Learning Goal:~~

~~The student will understand and have a working knowledge of the concepts of evidence as defined and used in California law.~~

~~Performance Objectives~~

~~The student will identify the following: (4.1.1)~~

- ~~a. Evidence~~
- ~~b. Direct evidence~~
- ~~c. Circumstantial evidence~~

~~The student will identify the following types of evidence or material related to the introduction of evidence in court and will recognize an example of each: (4.1.2)~~

- ~~a. Fruits of a crime~~
- ~~b. Instrumentalities of a crime~~
- ~~c. Contraband~~

~~The student will identify the following~~

~~purposes for offering evidence in court:
(4.1.3)~~

- ~~a. As an item of proof~~
- ~~b. To impeach a witness~~
- ~~c. To rehabilitate a witness~~
- ~~d. To assist in determining sentence~~

~~The student will identify the following minimal tests which an item of evidence must successfully pass before it may be admitted into any criminal court. (Evidence Code Section 210) (4.1.4)~~

- ~~a. The evidence must be relevant to the matter in issue~~
- ~~b. The evidence must be competently presented in court~~
- ~~c. The evidence must have been legally obtained~~

~~The student will identify the main purpose of the "Rules of Evidence" as protecting the jury from seeing or hearing evidence that is:
(4.1.5)~~

- ~~a. Likely to confuse the issue (e.g., irrelevant or unreliable evidence)~~
- ~~b. Unfairly prejudicial (e.g., other "bad" acts of the defendant unrelated to the charges)~~
- ~~c. Unduly time consuming to present in court.~~

~~2. Rules of Evidence (4.6.0)~~

~~Learning Goal:~~

~~The student will understand and have a working knowledge of the basic rules of evidence.~~

~~Performance Objectives~~

~~The student will identify the effects of the "exclusionary rule" upon police actions and procedures in the following areas: (Evidence Code and Case Law) (4.6.1)~~

- ~~a. Civil rights~~
- ~~b. Inadmissible evidence~~
- ~~c. Possibility of false arrest~~

~~The student will identify the definition of the~~

~~Hearsay Rule. (Evidence Code Section 1200)~~
~~(4.6.2)~~

~~The student will identify the following exceptions to the Hearsay Rule. (Evidence Code Section 1220) (4.6.3)~~

- ~~a. Spontaneous statements~~
- ~~b. Admissions~~
- ~~c. Confessions~~
- ~~d. Dying declarations~~

~~3. Search Concepts (4.7.0)~~

~~Learning Goal:~~

~~The student will understand and have a working knowledge of the legal concepts relative to searches.~~

~~Performance Objectives~~

~~The student will identify the conditions under which the following types of legally authorized searches may be made: (Case Law Decisions) (4.7.1)~~

- ~~a. Consent searches~~
- ~~b. Contemporaneous to arrest~~
- ~~c. Probable cause searches~~
- ~~d. A search warrant~~
- ~~e. Plain sight~~
- ~~f. Exigent circumstances~~

~~The student will identify the following items as those for which an officer may legally search (Case Law Decisions): (4.7.2)~~

- ~~a. Dangerous weapons~~
- ~~b. Fruits of the crime~~
- ~~c. Instruments of the crime~~
- ~~d. Contraband~~
- ~~e. Suspects~~
- ~~f. Additional victims~~

~~The student will identify the definition of the following terms relative to search (Case Law Decisions): (4.7.4)~~

- ~~a. Consent~~
- ~~b. Scope of searches~~
- ~~c. Contemporaneous~~

- ~~d. Probable cause~~
- ~~e. Instrumentalities of a crime~~
- ~~f. Contraband~~
- ~~g. Knock and notice~~
- ~~h. Container search doctrine~~

~~4. Seizure Concepts (4.8.0)~~

~~Learning Goal:~~

~~The student will understand and have a working knowledge of the concept of lawful evidence seizure.~~

~~Performance Objectives~~

~~Given word pictures or audio-visual presentations depicting where force is used to prevent a suspect from swallowing evidence, the student will identify those situations where the force is justified. (4.8.1)~~

~~The student will identify an example wherein inducing a suspect to vomit would be legally justified. (Case Law) (4.8.2)~~

~~The student will identify an example wherein the use of force to extract blood evidence from a suspect would be legally justified. (Case Law) (4.8.3)~~

~~The student will identify an example wherein the use of force to extract fingerprint evidence from a suspect would be legally justified. (Case Law) (4.8.4)~~

~~The student will identify an example wherein the suspect would have no legal rights to refuse to give handwriting exemplars. (Case Law) (4.8.5)~~

~~D. Investigation (3 Hours)~~

~~1. Interrogation (8.8.0)~~

~~Learning Goal:~~

~~The student will understand the basic rights to be protected during interrogation.~~

~~Performance Objectives~~

~~The student will identify the requirements for administration of "Miranda Rights" by field officers. (8.8.1)~~

~~2. Preliminary Investigation (10.1.0)~~

~~Learning Goal:~~

~~The student will gain the ability to conduct a preliminary investigation under simulated field conditions.~~

~~Performance Objectives~~

~~The student will identify the reasons to deny access to a crime scene by unauthorized persons including: (10.1.4)~~

- ~~a. Contamination/destruction of evidence~~
- ~~b. Interference with preliminary investigation~~

~~3. Identification, Collection, and Preservation of Evidence (10.6.0)~~

~~Learning Goal:~~

~~The student will acquire knowledge of the proper means of identification, collection, and preservation of evidence.~~

~~Performance Objectives~~

~~Given a description of a crime scene, the student will identify those items which should be treated as evidence. (10.6.1)~~

~~Given a description of each of the following types of evidence, the student will identify the correct methods for collecting, marking (or tagging) and/or packaging evidence. (10.6.2)~~

- ~~a. Fingerprints~~
- ~~b. Tools and Toolmarks~~
- ~~c. Firearms~~
- ~~d. Bullets and Projectiles~~
- ~~e. Show Prints and Tiretracks~~
- ~~f. Bite Marks~~
- ~~g. Questioned Documents~~
- ~~h. Paints~~
- ~~i. Glass~~
- ~~j. Fibers~~
- ~~k. Hairs~~

- ~~l. Blood~~
- ~~m. Soil~~

~~Given a description of an outdoor crime scene and rainy weather conditions, the student will identify those items of evidence requiring protection and the methods used to protect them. (10.6.3)~~

~~Given a description of a crime scene containing several pieces of evidence, the student will identify the "fragile evidence," and select the proper method for preserving it. (10.6.6)~~

~~The student will identify the following items of evidence as those which corroborate child abuse charges: (10.6.7)~~

- ~~a. Photographs of injuries and surroundings~~
- ~~b. Physician's report~~
- ~~c. Instruments or implements used in the crime~~
- ~~d. Diagrams and measurements~~
- ~~e. Materials applicable to the crime~~
- ~~f. Past medical history indicating previous abuse~~
- ~~g. Witness statements~~

~~4. Chain of Custody (10.7.0)~~

~~Learning Goal:~~

~~The student will understand the concept of chain of custody.~~

~~Performance Objectives~~

~~The student will identify what is meant by the term "chain of custody" and why it must be maintained. (California Evidence Code and Case Law) (10.7.1)~~

~~Given a word picture of a situation where evidence was collected and a list made of the evidence, the student will complete the necessary forms generally utilized by law enforcement to insure the chain of custody. (10.7.2)~~

~~Examination~~

- ~~(2) Firearms Course (16 hours)~~
~~(Required for peace officers carrying firearms)~~

~~(A) Firearms Safety~~

~~1. Firearms Safety (7.5.0)~~

~~Learning Goal:~~

~~The student will understand the safe handling of firearms.~~

~~Performance Objectives~~

~~The student will demonstrate safe handling of handguns. (7.5.1)~~

~~This will minimally be done under the following conditions/situations:~~

- ~~a. Loading and unloading revolvers and/or semi-automatic weapons~~
- ~~b. Holstering and drawing handgun using agency authorized equipment~~
- ~~c. Clearing malfunctions~~

~~(B) Handgun Familiarization~~

~~1. Handgun (7.6.0)~~

~~Learning Goal:~~

~~The student will understand specific characteristics of standard law enforcement handguns.~~

~~Performance Objectives~~

~~The student will identify the major parts of the semi-automatic and revolver type service handgun with explanations of its basic mechanical functions. (7.6.1)~~

~~(C) Firearms Care and Cleaning~~

~~1. Care and Cleaning of Service Handgun (7.7.0)~~

~~Learning Goal:~~

~~The student will know how to clean the service handgun.~~

~~Performance Objectives~~

~~The student will effectively clean the service~~

~~handgun. (7.7.1)~~

~~(D) Firearms Shooting Principles~~

~~1. Handgun Shooting Principles (7.10.0)~~

~~Learning Goal:~~

~~The student will understand the basic principles of shooting with a handgun.~~

~~Performance Objectives~~

~~The student will demonstrate the principles of good marksmanship using the service handgun. (7.10.1)~~

~~The demonstration will minimally include:~~

- ~~a. Stance~~
- ~~b. Grip~~
- ~~c. Breath control~~
- ~~d. Sight alignment~~
- ~~e. Trigger control~~
- ~~f. Follow through~~

~~(E) Firearms Range (Combat)~~

~~1. Handgun/Combat/Range (7.15.0)~~

~~Learning Goal:~~

~~The student will understand the proper use of the handgun on a combat range.~~

~~Performance Objectives~~

~~Given a daylight handgun combat range prescribed by POST, the student will achieve a POST established passing score. (7.15.1)~~

~~Communications and Arrest (16 hours)~~

~~(Recommended for peace officers who make arrests)~~

~~(A) Community relations~~

~~(B) Communications~~

~~(C) Arrest and Control~~

~~Examination~~

Arrest Course (40 Hours)

Required for all peace officers)

- (A) Professional Orientation (4 Hours)*
- (B) Community Relations (2 Hours)*
- (C) Law (12 Hours)*
- (D) Laws of Evidence (3 Hours)*
- (E) Communications (5 Hours)*
- (F) Investigation (2 Hours)*
- (G) Arrest and Control (10 Hours)*
- POST Examination (2 Hours)*

Firearms Course (24 Hours)
(Required for peace officers carrying firearms)

- Classroom (8 Hours)*
- (A) Firearms Safety
 - (B) Handgun Familiarization
 - (C) Firearms Care and Cleaning
 - (D) Firearms Shooting Principles

- Range (15 Hours)*
- (E) Firearms Range
 - POST Examination (1 Hour)*

Reference POST document, POST Curriculum Requirements for the PC 832 Course - January 1, 1992).

(2) - (19) ****

*POST Recommended Hours

The document, POST Curriculum Requirements for the PC 832 Course - January 1, 1991, adopted effective * , is herein incorporated by reference.

Authority: PC 13503, 13506

Reference PC 629.44(a), 832, 832.1, 832.2, 832.3, 832.6, 872(b), 12403, 12403.5, 13510, 13510.5, 13516, 13517, 13519, 13519.1, 13519.2; Civil Code 607f; Vehicle Code 40600; Business & Professions Code 25755

COMMISSION PROCEDURE H-3

RESERVE OFFICER TRAINING

3-1 - 3-2 ****

3-3. Reserve Officer Training Requirements.

Training shall be completed prior to assignment of peace officer duties. The following minimum training requirements apply to reserve peace officers:

Level III

Module A - (56 64 hours)
P.C. 832 Arrest &
Firearms Course
PLUS
~~Communications and~~
~~Arrest Methods Course~~

Minimum

56 64 hours

Level II*

Module A - (56 64 hours)
PLUS
Module B (90 hours)

Minimum

146 hours

Level I*
(non-designated)

Module A (56 64 hours)
PLUS
Module B (90 hours)
PLUS
Module C (68 hours)

Minimum

~~214~~ 222 hours

Level I
(designated)

Shall satisfactorily
meet the training
requirements of the
Basic Course (PAM,
Section D-1)

3-4 - 3-11 ****

*Refer to PAM, Section H-3-8, Field Training, for additional training requirements.

COMMISSION PROCEDURE H-5

RESERVE OFFICER COURSES - MODULES A, B, & C

5.1 - 5.2 ****

Content and Minimum Hours

5-3. Reserve Course Content and Minimum Hours: Subject matter and hourly requirements are outlined in the following pages, which describe Modules A, B, & C. Course presenters are encouraged to use Basic Course performance objectives and unit guides as illustrative content but are not required to do so.

MODULE A - ~~40~~ 64 HOURS - ARREST AND FIREARMS (P.C. 832)
~~AND 16 HOURS - COMMUNICATIONS AND ARREST METHODS~~

(For full satisfaction of Level III reserve training)

Course Outline

Arrest Course ~~24~~ 40 Hours
(Required for all peace officers)

~~A. Professional Orientation (4 Hours)~~

- ~~1. Professionalism~~
- ~~2. Ethics/Unethical Behavior~~
- ~~3. Administration of Justice Components~~
- ~~4. California Court System~~
- ~~5. Discretionary Decision Making~~

~~B. Law (12 Hours)~~

- ~~1. Introduction to Law~~
- ~~2. Crime Elements~~
- ~~3. Intent~~
- ~~4. Parties to a Crime~~
- ~~5. Defense~~
- ~~6. Probable Cause~~
- ~~7. Obstruction of Justice~~
- ~~8. Constitutional Rights Law~~
- ~~9. Laws of Arrest~~
- ~~10. Effects of Force~~
- ~~11. Reasonable Force~~
- ~~12. Deadly Force~~
- ~~13. Illegal Force Against Prisoners~~

~~C. Laws of Evidence (4 Hours)~~

- ~~1. Concepts of Evidence~~
- ~~2. Rule of Evidence~~
- ~~3. Search Concept~~
- ~~4. Seizure Concept~~

~~B. Investigation (3 Hours)~~

- ~~1. Preliminary Investigation~~
- ~~2. Crime Scene Notes~~
- ~~3. Identification, Collection, and Preservation of Evidence~~
- ~~4. Chain of Custody~~

~~Examination (1 Hour)~~

- (A) Professional Orientation (4 Hours)*
- (B) Community Relations (2 Hours)*
- (C) Law (12 Hours)*
- (D) Laws of Evidence (3 Hours)*
- (E) Communications (5 Hours)*
- (F) Investigation (2 Hours)*
- (G) Arrest and Control (10 Hours)*
- POST Examination (2 Hours)*

Firearms Course ~~16~~ 24 Hours
(Required for peace officers carrying firearms)

- ~~A. Firearms Safety~~
- ~~B. Firearms Care and Cleaning~~
- ~~C. Firearms Shooting Principles~~
- ~~D. Firearms Range (Target)~~
- ~~E. Firearms Range (Combat)~~
- ~~F. Firearms Range (Qualification)~~

Classroom (8 Hours)*

- (A) Firearms Safety
- (B) Handgun Familiarization
- (C) Firearms Care and Cleaning
- (D) Firearms Shooting Principles

Range (15 Hours)*

- (E) Firearms Range
- POST Examination (1 Hour)*

Complete curriculum requirements are contained in the document,
"POST Curriculum Requirements for the PC 832 Course - 1992".

*POST Recommended Hours

~~Communications and Arrest Methods 16 Hours~~
~~(Recommended for those peace officers who make arrests)~~

~~A. Community Relations (2 Hours)~~

- ~~1. Community Service Concept~~
- ~~2. Community Attitudes and Influences~~

~~B. Communications (5 Hours)~~

- ~~1. Interpersonal Communication~~
- ~~2. Note Taking~~
- ~~3. Introduction to Report Writing~~
- ~~4. Interviewing Techniques~~

~~C. Arrest and Control (8 Hours)~~

- ~~1. Weaponless Defence/Control Techniques~~
- ~~2. Person Search Techniques~~
- ~~3. Restraint Devices~~
- ~~4. Prisoner Transportation~~

~~Examination (1 Hour)~~

Commission on Peace Officer Standards and Training
POST CURRICULUM AND HOURLY STANDARDS FOR THE PC 832 COURSE

STATEMENT OF REASONS

The current POST hourly requirement for Penal Code Section 832 training is divided into two courses: a 24-hour Arrest Course and a 16-hour Firearms Course. POST also recommends, for peace officers who make arrests, an additional 16-hour Communications and Arrest Methods Course. The Communications and Arrest Methods Course, along with the PC 832 Course (Arrest and Firearms), is required for reserve peace officers pursuant to Commission Regulation 1007(b) and Commission Procedures H-3 and H-5.

POST's requirements for the PC 832 Course were last modified July 1, 1989 when the course curriculum was converted from a topical outline to 91 required performance objectives to implement mandatory POST testing of course graduates under Penal Code Section 832(a). However, POST's hourly requirements for the course have not increased since inception of the requirement in 1973. Law enforcement has become increasingly more complex, especially as it relates to the tasks of making an arrest and carrying a firearm, which form the primary focus of this course. Input received from peace officer groups and training presenters has consistently indicated the curriculum and hours are insufficient for adequate treatment of these tasks. Increased liability associated with the negligent training of peace officers has, in part, motivate the proposed update to course requirements. As further evidence of need, 60 of the 62 course presenters currently exceed the minimum POST hourly requirements, and most of these have already included the curriculum being proposed for addition.

The curriculum proposed for addition is primarily taken from the currently optional (except for Reserve Peace Officers) 16-hour Communications and Arrest Methods Course. This curriculum includes performance objectives on community relations; communications, including interpersonal and report writing; principles of weaponless defense; person search techniques; use of restraint devices; and prisoner transportation. Twenty-five performance objectives are being recommended for addition and ten are recommended for deletion. The ten objectives recommended for deletion are the result of recommended modifications to other objectives that include their content, or are considered no longer applicable to PC 832 peace officers.

It is also proposed to modify Commission Regulation 1080 (PC 832 Course Testing Requirements) to expand skill testing to include skills other than firearms (e.g., weaponless defense, search or prisoners and handcuffing) to reflect the proposed curriculum additions.

Also being recommended is the addition of nine required "learning experiences" and the conversion of three existing performance objectives to learning experiences. A learning experience is a required instructional event (i.e., a part of the instructional process) that may be a workbook, a demonstration, a film, supervised practice, discussion, lecture, computer-assisted instruction or any of the other technique available for presenting instruction. Unlike performance objectives, however, learning experiences are not tested. They are particularly appropriate for subjects which are difficult to test or which relate to values, attitudes, and judgement. They can also be useful for certain skills that should be demonstrated, but when a need for student mastery doesn't exist.

The net result of proposed curriculum modifications is that the course curriculum will increase from the present 91 performance objectives to 103 performance objectives and 12 learning experiences. Learning experiences are estimated to require approximately the same amount of instructional time as would performance objectives.

The proposed curriculum modifications (additions, deletions and modifications) are consistent with the requirement found in Penal Code Section 832(d) that peace officers who possess or are qualified to possess the POST basic certificate are exempt from the PC 832 Course. If effect, this requires that the PC 832 Course curriculum be included in the 560-hour Basic Course, the training requirement for the POST Basic Certificate. All proposed performance objectives and learning experiences, although some are modified, are currently included in the Basic Course.

It is proposed that the Arrest Course hours be increased from 24 to 40 hours and the Firearms Course be increased from 16 to 24 hours, for a total requirement of 64 hours. For the Arrest Course, the increased hours are attributable to the recommended additional curriculum (performance objectives and learning experiences). For the Firearms Course, the recommended eight-hour increase is to provide sufficient time for student practice on the firearms range in order to gain proficiency and pass the POST Firearms Proficiency Examination. Currently, POST is experiencing a 10% failure rate on the examination. Persons with peace officer powers who carry firearms pose a significant risk to themselves as well as the public they serve if they lack proficiency in firearms skills. It is expected that the additional time for student practice will lower the failure rate.

As previously stated, the current training requirement for Level III Reserve Peace Officers is the PC 832 Course plus the 16-hour Communications and Arrest Methods Course. Because the latter is being added to the PC 832 Course, it is necessary to modify Commission Procedures H-3 and H-5 (Reserve Officer Training

Requirements). It is proposed these Procedures be amended to reflect the expanded 64-hour PC 832 Course.

Because PC 832 and Reserve Officer Course presenters will need time to transition to the proposed changes, and because POST will need to modify its required course testing procedures, a July 1, 1992 delayed implementation is recommended for this regulatory action. The delayed implementation will enable presenters to ensure their curriculum remains consistent with required POST testing. All PC 832 Courses beginning on or after July 1, 1992 will be required to meet the proposed training requirement.

Technical changes are also proposed for Regulation 1081(1) by deleting the performance objectives and incorporating by reference all curriculum in the document, "POST Curriculum Requirements for the PC 832 Course - 1992". The purpose of this change is to locate all training requirements in one publication for the convenience of training presenters.

All curricula and hourly changes were based on recommendations of instructors with long-standing experience and expertise, as well as subject matter experts. The following justifications explain the changes:

Note: All Learning Goals are proposed for deletion because they are no longer considered necessary for curriculum identification.

- 1.2.1 The proposed language additions are to facilitate testing so that the performance objective is fully self contained, e.g., the characteristics of a profession are identified and no one needs to look elsewhere.
- 1.3.1 This is a technical change to make the objective universally applicable to all persons subject to the PC 832 training requirement. Not all attendees are "law enforcement" officers, but are peace officers.
- 1.3.2 The proposed change is to facilitate testing. Fundamental duties are enumerated in the Law Enforcement Code of Ethics, and not the "Code of Professional Conduct and Responsibilities for Peace Officers".
- 1.4.1 No change
- 1.4.2 No change
- 1.4.3 This is a technical change to make the objective universally applicable to course attendees.
- 1.4.4 No change

- 1.7.1 No change
- 1.7.2 No change
- 1.9.1 No change
- 1.9.2 No change
- 1.11.1 This performance objective is difficult if not impossible to test for. It is therefore recommended for conversion to a "learning experience" which would require the instructor to put students through a learning experience but not require them to be tested.
- 1.11.2 No change
- 1.11.3 This performance objective presented problems for testing as it introduces the element of student judgement rather than student knowledge. Therefore, it is recommended for conversion to a non-tested learning experience.
- 1.11.4 This objective is recommended for deletion as it is included in 1.11.3 learning experience.
- 2.2.2 This is a recommended learning experience because the subject matter is closely related to values and attitudes which do not lend themselves to testing.
- 2.2.3 Same as above
- 2.2.4 Same as above
- 3.1.1 This proposed change is to facilitate testing.
- 3.1.2 Same as above
- 3.1.3 Same as above
- 3.2.1 No change
- 3.2.2 No change
- 3.2.3 This proposed change is to facilitate testing of the objective.
- 3.3.1 Same as above
- 3.4.1 Same as above

- 3.4.2 This objective is recommended for deletion because this subject is covered adequately in proposed revised PO 3.4.1.
- 3.5.1 No change
- 3.5.2 No change
- 3.6.1 No change
- 3.6.2 This change is needed to make the objective universally applicable to PC 832 trainees.
- 3.8.1 No change
- 3.8.2 No change
- 3.8.3 No change
- 3.8.4 No change
- 3.8.5 No change
- 3.8.6 No change
- 3.8.7 No change
- 3.37.1 No change
- 3.37.3 This is a minor clarifying language change.
- 3.37.4 Same as above
- 3.38.1 No change
- 3.38.2 This proposed change would make the objective capable of being tested as the elements of a lawful arrest are identified.
- 3.38.3 This objective is proposed for deletion since it is covered in PO 7.2.1 & 2.
- 3.38.4 No change
- 3.38.5 No change
- 3.38.6 No change
- 3.38.7 No change
- 3.38.8 The proposed additions are to facilitate testing.

- 3.38.9 No change
- 3.38.12 No change
- 3.38.13 No change
- 7.1.1 It is proposed to convert this objective to a required learning experience because the subject matter relates more to values and attitudes than to knowledge.
- 7.1.2 No change
- 7.2.1 No change
- 7.2.2 No change
- 7.2.3 Proposed changes to the objective are intended to facilitate testing by restricting the knowledge to a single issue -- "limitations" -- and then identifying them.
- 7.3.1 The is a minor technical deletion of an unnecessary word.
- 7.3.3 No change
- 7.3.2 No change
- 7.3.3 This is a deletion of unnecessary words which help to universalize the objective.
- 7.3.4 Same as above
- 7.3.5 Substituting the word "identify" for "state" more appropriately reflects realistic testing conditions.
- 11.3.1 Substituting the verb "identify" for "explain" facilitates testing, as does adding the elements of PC Section 142.
- 11.3.2 Adding the elements of PC Section 149 facilitates testing the objective.
- 4.1.1 The proposed changes reflect testing needs.
- 4.1.2 Same as above
- 4.1.3 No change
- 4.1.3 No change

- 4.1.4 No change
- 4.1.5 No change
- 4.6.1 Substituting "enforcement" for "police" helps to universalize the objective for diverse types of PC 832 trainees.
- 4.6.2 The proposed change would facilitate testing by providing the definition of "hearsay evidence".
- 4.6.3 No change
- 4.7.1 The proposed changes are needed to clarify there are legal searches other than those previously listed.
- 4.7.2 No change
- 4.7.4 No change
- 4.8.1 These proposed changes are to facilitate testing.
- 4.8.2 This proposed deletion is because the objective is covered in revised 4.8.1.
- 4.8.3 Same as above
- 4.8.4 Same as above
- 4.8.5 Subject matter experts believe PC 832 students do not encounter situations involving handwriting exemplars.
- 5.1.1 The is learning experience is recommended since the subject matter is more related to officer attitudes and conduct.
- 5.1.3 Same as above
- 5.2.1 This proposed new objective is necessary because officers frequently must document crime scenes through note taking.
- 5.2.3 Same as above
- 5.3.1 This is a proposed new objective that requires students to identify uses of written reports. This is necessary because peace officers are required to document criminal and other incidents as part of their duties.

- 5.3.2 Knowing the characteristics of a good report will lead to the proper documentation of arrests and other incidents.
- 5.3.3 This proposed new objective is necessary to help student officers recognize the elements of a complete report.
- 10.8.1 This proposed new PO on preparing for an interview is considered an integral part of investigating a crime and obtaining information as a peace officer.
- 8.8.1 Proposed modifications are intended to facilitate testing of the objective.
- 8.8.2 The proposed PO is needed so that students will understand the differences for administering Miranda rights to adults vs. juveniles.
- 8.8.3 This is a proposed new objective that requires students to identify the differences in administering Miranda rights to juveniles (as opposed to adults). It is necessary that students understand this procedure to honor the legal requirements that guarantee rights to juveniles.
- 10.1.4 This is a clarifying, technical change to add protection of victim's rights and property as one of the primary reasons to deny access to a crime scene.
- 10.1.5 This proposed new objective affords students the knowledge of techniques for protecting a crime scene which is a duty of all peace officers.
- 10.6.1 No change
- 10.6.2 This is a minor technical change for clarity purposes.
- 10.6.3 This proposed modification is to ensure trainees can identify fragile evidence at a crime scene.
- 10.6.6 The objective is proposed for deletion because it is covered in 10.6.3.
- 10.6.7 This objective is proposed for deletion because PC 832 peace officers generally do not handle child abuse cases.
- 10.7.1 Proposed revisions to this objective are intended to facilitate testing.

- 10.7.2 This objective is proposed for deletion because there is no uniformity of forms used to document evidence by PC 832 students.
- 10.7.3 The proposed new objective is necessary so that the appropriate information is obtained to document the chain of custody for physical evidence.
- 12.6.1 This proposed objective is needed by peace officers to overcome resistance by arrested persons.
- 12.6.2 Same as above
- 12.6.3 Same as above
- 12.6.4 Same as above
- 12.6.5 Same as above
- 12.7.2 This proposed objective is necessary since peace officers occasionally need to overcome armed resistance by an arrested person.
- 12.7.3 This proposed learning experience is needed to allow students the opportunity to see demonstrations of various gun take-away techniques since this situation occasionally occurs during the course of a peace officer's duties.
- 12.7.7 This proposed learning experience is needed to provide students the knowledge of how to protect themselves.
- 8.14.1 This proposed objective is needed to alert officers of the hazards and considerations in searching a member of the opposite sex who is arrested.
- 8.14.2 This proposed objective affords students the knowledge of safe search techniques of arrested persons.
- 8.14.3 This proposed objective is needed to enhance the personal safety of peace officers.
- 8.14.4 The proposed objective is needed because peace officers frequently need to back up other officers.
- 8.18.2 This proposed objective is needed because peace officers must conduct various types of searches during arrest or enforcement situations.
- 8.19.1 This proposed objective is needed because peace officers must abide by limitations imposed by their employers.

- 8.19.2 This proposed objective is needed because peace officers frequently must use restraint devices.
- 8.19.3 Same as above
- 8.20.1 This proposed objective is needed because peace officers must transport prisoners.
- 8.20.2 This proposed new objective is needed because students need to be aware of the most common limitations imposed by agencies regarding the transportation of prisoners. This will help prevent officers from violating departmental requirements and ensure a safe transportation setting.
- 8.20.3 This proposed learning experience is needed because peace officers need to know how prisoners are positioned for transportation.
- 7.5.1 No change
- 7.6.1 No change
- 7.7.1 No change
- 7.10.1 No change
- 7.10.2 This proposed learning experience is needed because peace officers need to be aware of shooting positions that will vary depending upon conditions at shooting incidents.
- 7.15.1 No change

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Public Hearing: Establishment of New Graduation Requirements for the Regular Basic Course		Meeting Date January 17, 1991
Bureau Standards & Evaluation	Reviewed By	Researched By John Berner <i>[Signature]</i>
Executive Director Approval <i>[Signature]</i>	Date of Approval 12-31-90	Date of Report December 19, 1990
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

This is a public hearing to consider changes to Commission Procedure D-1 and the publication "Performance Objectives for the POST Basic Course" (both of which are incorporated by reference into Commission Regulation 1005). These changes would require that effective October 1992 all presenters of the Regular Basic Course must use the "knowledge domain" system for evaluating trainee success. Under this system, performance objectives which require the trainee to demonstrate a psychomotor skill are distinguished from performance objectives which require the trainee to demonstrate an intellectual skill, and those objectives which require demonstration of an intellectual skill are grouped into categories called "knowledge domains" based on similarity of subject matter content. In order to graduate, a trainee must demonstrate mastery of each individual psychomotor performance objective and obtain a POST-specified minimum passing score on a POST-developed test for each knowledge domain. The proposed changes further specify that a trainee who fails a knowledge domain or psychomotor skills test will be given one, but generally only one, opportunity to retest.

BACKGROUND

The POST Regular Basic Course is defined in terms of instructional outcomes, i.e., things that the trainee is expected to be able to do following instruction. These instructional outcomes are referred to as performance objectives.

There are nearly 600 performance objectives in the Regular Basic Course. Approximately 80% require the trainee to demonstrate an intellectual skill (i.e., knowledge). Paper-and-pencil test questions are used to evaluate mastery of these objectives. The remaining performance objectives require demonstration of a psychomotor skill. Exercises or scenarios are used to evaluate mastery of these objectives.

Under the current system for defining trainee mastery of the Regular Basic Course, each performance objective is assigned to one of twelve broad categories called functional areas (Patrol Procedures, Law, etc.). Further, each performance objective is assigned a "success criterion" of 70%, 80%, 90% or 100% (must pass), depending on the criticality of the performance objective as determined by subject matter experts. In order to graduate, a trainee must demonstrate mastery of 70% of the 70% performance objectives, 80% of the 80% performance objectives, and 90% of the 90% performance objectives in each of the twelve functional areas. Additionally, the trainee must demonstrate mastery of all of the 100% performance objectives. Each academy is responsible for developing its own testing requirements and for determining what constitutes mastery of a given performance objective.

In 1985 the Commission approved a staff request to pilot test an alternate system for defining and evaluating trainee mastery of the Regular Basic Course. Under the new system, knowledge performance objectives are treated separately from psychomotor skill performance objectives. The trainee is required to demonstrate mastery of each of the approximately 100 psychomotor skill performance objectives, whereas the knowledge performance objectives are grouped into categories known as "knowledge domains" based on similarity of subject matter content, and the trainee is required to pass a separate test for each knowledge domain.^{1,2}

In November 1988 staff reported to the Commission on the results of the pilot study. Results for the three academies that participated were favorable in terms of the ease and practicality of administering the knowledge domain system. Moreover, scores on the POST Proficiency Examination (a paper-and-pencil test of student knowledge that is administered to all academy graduates) increased at each of the three academies. However, because only three academies participated in the pilot study, staff requested and received authority to permit other interested academies to participate in a further evaluation of the knowledge domain system.

A report of the results of the follow-up evaluation was presented to the Commission in April 1990. In that report additional data were presented which showed that the average Proficiency Examination score

¹A number of shortcomings inherent in the "success criterion" approach prompted the request to pilot test the "knowledge domain" approach. These shortcomings were delineated in the staff report that accompanied the request to pilot test the "knowledge domain" system.

²Concurrent with approval of the pilot test, the Commission also approved a contract to develop computer software to automate a test item bank for use by all basic course presenters. Among other things, the software makes possible the automated retrieval and scoring of knowledge domain tests.

for academy classes trained under the knowledge domain system is significantly higher than for those classes trained under the "success criterion" approach. Additionally, it was reported that 26 academies had "converted" to the knowledge domain system, and that enthusiastic support existed for both the system and the computer software that makes automation of the system possible.³ Based on these findings, the Commission concurred with the staff recommendation that the results of the evaluation be reviewed by the Long Range Planning Committee, and that the Long Range Planning Committee report back to the Commission in July with recommendations regarding possible formal adoption of the knowledge domain system.

The Long Range Planning Committee reported back to the Commission in July with the following recommendations: (1) that a public hearing be scheduled in conjunction with the January 1991 Commission meeting for the purpose of formally adopting the knowledge domain system for defining and evaluating trainee mastery of the Regular Basic Course, (2) that adoption of the knowledge domain system include the provision that all academies must use POST-developed tests of the knowledge domains, and (3) that the committee be permitted to further review the relative merits of POST-mandated cutoff scores versus POST-mandated minimum cutoff score ranges on the POST knowledge domains tests, and report back to the Commission on this issue in November.

The Commission accepted the committee's recommendations in full, and in November the committee reported back to the Commission with the recommendation that POST mandate minimum cutoff scores (and not cutoff score ranges) on the POST knowledge domain tests. At that time, the committee further recommended that trainees be permitted only one retest opportunity upon failure of an initial knowledge domain test, unless, in the opinion of the academy director, a trainee was unable to take a test on an equal basis with all other trainees due to either: (a) illness or injury; (b) a traumatic event, such as the death of a family member or friend, or (c) the inability to receive the same instruction as all other trainees due to circumstances beyond the trainee's control. The Commission concurred with this recommendation and staff was directed to prepare all necessary documentation for the January public hearing.⁴

³Currently 31 of the 35 basic training academies are using the knowledge domain system.

⁴At the November Commission meeting the Long Range Planning Committee also recommended that staff be directed to collect data to evaluate the impact of a cumulative test performance requirement on the knowledge domain tests (e.g., maintaining a certain average test score across all knowledge domain tests), with such data collection to commence with the proposed October 1992 implementation date for mandating the new basic course graduation requirements. The Commission also approved this recommendation, and further directed that staff begin collecting data immediately for purposes of

ANALYSIS

The proposed changes to Commission Procedure D-1 (Attachment A) and the publication "Performance Objectives for the POST Basic Course" (Attachment B) would have the effect of replacing the current "success criterion" approach for defining student mastery of the Regular Basic Course with the "knowledge domain" approach, wherein:

1. The knowledge performance objectives are distinguished from the psychomotor skills performance objectives;
2. The knowledge performance objectives are grouped into "knowledge domains" based on similarity of subject matter content, the trainee is required to pass a POST-developed test of each knowledge domain, and the minimum passing score on each knowledge domain test is established by POST; and
3. All psychomotor skills performance objectives are classified as "must pass" objectives, with mastery of each such objective determined by the local academy.

Additionally, the proposed changes specify that a trainee who fails a knowledge domain test will be permitted only one opportunity to retest, unless the trainee missed instruction related to the knowledge domain due to an academy-approved absence (in which case the trainee may be permitted a second retest).

Trainees who fail a psychomotor skills test will also, ordinarily, be permitted only one retest. However, with respect to the psychomotor skills performance objectives, the proposed changes specify that a trainee who retakes a psychomotor skills test and performs marginally, as determined by the academy, may be retested again. Marginal performance is defined as test performance that does not clearly demonstrate either mastery or lack of mastery of a psychomotor skill.

It should be noted that these proposed changes reflect an area of revision from changes reviewed by the Commission at the July and November Commission meetings. Proposed revised Commission Procedure D-1 in the section entitled "Retaking a Knowledge Domain Test" (see page four, Attachment A) originally specified in some detail those instances when an academy director has the discretion to permit a trainee more than one retest for a given knowledge domain (trainee illness or injury, death of a friend or family member, etc.). This section is now proposed to be revised to consist of much briefer language which simply states that more than one retest may be

evaluating the potential impact of POST-mandated minimum testing requirements (i.e., minimum passing scores, single retest for each knowledge domain) on various protected groups.

permitted in instances where the trainee missed instruction related to the test in question due to an academy-approved absence. This language change was suggested by CADA (the California Academy Directors Association) due to concerns that the originally proposed language, while well intentioned, could result in numerous unnecessary administrative challenges. Staff concurs with CADA and believes that the proposed replacement language will serve the same intended purpose as the originally proposed language - to ensure that all trainees receive fair and equitable treatment with respect to both initial testing and retesting for each individual knowledge domain. In a related area, CADA has also recommended deletion of a reference to the discretion of academies to re-enroll trainees who fail. Some academy directors believe they may lack the authority to enroll a terminated trainee in a subsequent academy class.

In total, the proposed changes will result in much greater standardization with respect to basic recruit training. For the first time, all academy cadets, regardless of where trained, will be required to take the same tests and achieve the same minimum passing scores for approximately 80% of the performance objectives that make up the Regular Basic Course.

RECOMMENDATION

Subject to the results of the public hearing, approve adoption of the knowledge domain system for defining and evaluating trainee mastery of the POST Regular Basic Course as enumerated in revised Commission Regulation 1005, Procedure D-1 (Attachment A).

Commission Procedure D-1

BASIC TRAINING

1.1 ****

Training Content and Methodology

1.2 Requirements for Basic Training Content and Methodology:

The minimum content standards for basic training are broadly stated in paragraphs 1-3 to 1-6. Within each functional area, listed below, flexibility is provided to adjust hours and instructional topics with prior POST approval. More detailed specifications are contained in the document "Performance Objectives for the POST Basic Course - 1989".

Successful course completion requires attendance of an entire course at a single academy except where POST has approved a contractual agreement between academies for the use of facilities. The Law Enforcement Code of Ethics shall be administered to peace officer trainees during the basic course. Instructional methodology is at the discretion of individual course presenters. Requirements and exceptions for specific basic courses are as follows:

- a. For the Regular Basic Course specified in paragraph 1-3, ~~performance objectives must be taught and tested as~~ requirements for successful course completion are specified here and in the document "Performance Objectives for the POST Basic Course". For academy

classes starting prior to October 1, 1992, successful course completion shall be determined using either the "success criteria" method or the "knowledge domain" method, as described below. For academy classes starting on or after October 1, 1992, successful course completion shall be determined using the "knowledge domain" method.

(1) SUCCESS CRITERIA METHOD

Using the "success criteria" method, successful course completion is based upon students meeting the established success criteria specified for all objectives in ~~this document~~ the document "Performance Objectives for the POST Basic Course." Tracking performance objectives to document student achievement is mandatory; however, the tracking system to be used is optional.

Student success criteria have been established, using a comprehensive field survey, whereby percentiles of 70%, 80%, 90% or 100% were identified to each performance objective. Each student must complete 70% of the performance objectives in the 70 percentile, 80% of those in

the 80 percentile, etc. (Note: 100% Performance Objectives are "Must Pass".)

(2) KNOWLEDGE DOMAIN METHOD

Using the "knowledge domain" method, successful course completion is based on passing knowledge domain tests and demonstrating proficiency on psychomotor performance objectives. The Basic Course contains two types of performance objectives: (a) objectives which require the students to demonstrate knowledge, and (b) objectives which require the students to demonstrate psychomotor skills. These performance objectives are described in the document "Performance Objectives for the POST Basic Course."

Requirements for Successfully Completing the Basic Course. To successfully complete the Basic Course, a student must (a) obtain a score on each POST-constructed, knowledge domain test which is equal to or greater than the cut score established by POST, and (b) demonstrate, in an exercise or scenario, the required psychomotor skills associated with each psychomotor performance

objective at a level consistent with adequate performance in the field, as judged by the academy. If a student fails a knowledge domain or psychomotor skills test when first tested, the student will be given only one opportunity (except as noted below) to retake the test.

Retaking a Knowledge domain Test. Students who fail a knowledge domain test on the first attempt shall be provided with an opportunity to: (a) review their test results in a manner which does not compromise test security; (b) have a reasonable time, established by each academy, to prepare for a retest; and (c) be provided with an ~~one, and only one,~~ opportunity to be retested on the knowledge domain with a POST-constructed, parallel form of the same test. If a student fails the second test, the student shall be dismissed from the academy class in which he or she is currently enrolled unless, the student missed instruction relevant to the test in question due to an academy-approved absence, in which case the student may be permitted to retest a second time. ~~in the judgement of the academy director, one or more of the following circumstances prevented the student from taking~~

the test on an equal basis with the other students:—

- e — the student was ill or injured,
- e — the student was emotionally traumatized by an event such as the death of a family member or close friend, or
- e — the student was unable to receive the same instruction as other students due to factors beyond the student's control.

An academy director who permits a student to be retested more than once on the same knowledge domain is required to prepare and retain a written record containing the following information:— (a) the student's name, (b) the date the student was retested, (c) the knowledge domain on which the student was retested, (d) the test results, and (e) the reasons for allowing the student a second retest. This record must be maintained by the academy director and made available for POST inspection upon request.

A student who is dismissed from an academy class for failure to pass a knowledge domain test on the second attempt may, at the discretion of the

academy director, be enrolled (recycled) in a subsequent class.

Retaking a Test on a Psychomotor Objective.

Students who take and fail a test on a psychomotor objective (as determined by the academy) shall be given one opportunity to retake the test.

Students who fail the same objective when retested shall be dismissed from the academy class in which they are currently enrolled.

Students who retake a psychomotor test and perform marginally (as determined by the academy) may be retested again (at the discretion of the academy).

Marginal performance is a judgment that the student's performance on the test does not clearly demonstrate either competence or incompetence.

Academy Requirements. POST has established minimum training requirements for the Basic Course. However, POST recognizes that academies must respond to the needs of the local law enforcement agencies which they serve and that this may justify additional training requirements or higher performance standards than those mandated by POST.

Regardless of the method used to determine successful completion of the Regular Basic Course (i.e., the "success criteria" or "knowledge domain" method), For the Regular Basic Course, the POST-developed physical conditioning program must be followed within Functional Area 12.0. ~~and s~~Students must pass a POST-developed physical abilities test as described in the POST Basic Academy Physical Conditioning Manual at the conclusion of the conditioning program as a condition for successful course completion. The use of alternatives to the POST-developed physical abilities test is subject to approval by POST. Course presenters seeking POST approval to use alternative tests shall present evidence that the alternative tests were developed in accordance with recognized professional standards, and that alternative tests are equivalent to the POST-developed test with respect to validity and reliability. Evidence concerning the comparability of scores on the POST-developed test and the proposed alternative test is also required.

- b. For basic courses listed in paragraphs 1-4 to 1-6, the performance objectives of the Regular Basic Course are not required but illustrative only of the content for the broad functional areas and learning goals specified

for each of these basic courses. Successful course completion shall be determined by each course presenter.

1.3 - 1.7 *****

(This language is predicated upon approval by the Office of Administrative Law of the pending regulatory changes as published in the Notice Register on May 18, 1990.)

Commission on Peace Officer Standards and Training

PUBLIC HEARING: COURSE COMPLETION REQUIREMENTS
FOR THE REGULAR BASIC COURSE

1005. Minimum Standards for Training.

(Effective incorporation by reference statements remain unchanged, with the exception of the following:)

The document, Performance Objectives for the POST Basic Course -1989 adopted effective September 26, 1990, and July 1990 Supplement incorporated effective * , and September 1990 Supplement incorporated effective * , and January 1991 supplement incorporated effective * , are herein incorporated by reference.

*This date to be filled in by OAL

Note: Authority Cited: Sections 13503, 13506 and 13510,
Penal Code
Reference: Sections 832, 832.3, 13506, 13510,
13510.5, 13511, 13513, 13514, 13516,
13517, 13519.3, 13520 and 13523, Penal
Code

PERFORMANCE OBJECTIVES FOR THE POST BASIC COURSE

(Regular Basic Course)

JANUARY 1991 SUPPLEMENT

1989



**THE COMMISSION
ON PEACE OFFICER STANDARDS AND TRAINING**

STATE OF CALIFORNIA

INTRODUCTION

The performance objectives contained in this document constitute the minimum standards for basic training required by the Commission on Peace Officer Standards and Training. This performance-based training concept standardizes and improves the basic training requirements for California peace officers, while it enhances the effectiveness of the teaching methods and testing processes of the basic training courses.

PROJECT

The Basic Course Revision Project which resulted in these performance objectives began in June 1973. An Advisory Committee was charged with overseeing the development of a product by project staff. The Committee consisted of representatives of law enforcement, police educators, police trainers, and the public.

The Basic Course Project had the following goals:

1. To improve existing basic training capabilities
2. To establish and implement a statewide basic training standard
3. To establish a reasonable and minimum performance **capability** for law enforcement officers to attain
4. To establish a more effective method of training and testing law enforcement trainees

The ~~two~~ three documents listed below should be used together with this document in implementing the revised Basic Course:

1. **Management Guide:** A document providing direction for making any necessary changes and implementing the POST Basic Course.
2. **The Instructional Unit Guides:** Instructional material designed to address a small group of performance objectives. There are 58 of these guides.
3. **Basic Course Scenario Manual:** This manual describes exercises and scenarios which can be used to evaluate psychomotor skills

FORMAT

The Basic Course is divided into 12 "Functional Areas" which encompass the major functions of law enforcement work. Each functional area contains "Learning Goals" which broadly describe each segment of the training program. These learning goals can be used as individual course goals.

Each learning goal has one or more "Performance Objective" describing the action, knowledge or behavior the student is expected to exhibit upon completion of the instruction and provides the basis upon which the student will be evaluated.

NUMBERING

Learning Goals and Performance Objectives are continuously being revised, deleted, and added. In order to preserve their sequential numbers, we have included the notation "Deleted as of (date) " for those Learning Goals and Performance Objectives that have been deleted. If Learning Goals or Performance Objectives have been modified or added, the date is indicated.

PERFORMANCE OBJECTIVES

With the adoption and use of performance objectives, the instructional emphasis is removed from the instructors and what they teach, and is placed upon the students and what they learn. Performance objectives, when shared with the students before instruction, serve as a guideline for both students and instructors; thus, **both** are aware of the **expected** outcome of the instruction.

A performance objective consists of four elements:

1. Learner: Who is expected to perform the required task.
2. Behavior: What it is that the successful student will be able to do.
3. Condition: Under what conditions the student will perform the stated task.
4. Success Criteria: To what extent the student will be able to perform the behavior under the pre-stated conditions.

POST REQUIREMENTS FOR SUCCESSFULLY COMPLETING THE BASIC COURSE

POST is in the process of changing its requirements for successfully completing the Basic Course. The existing requirements use "success criteria" to determine success in the Basic Course. The new requirements use "knowledge domains" to determine success in the basic course. The two methods for determining success in the Basic Course are described below. Either method may be used until October 1, 1992. Any Basic Course class beginning on or after October 1, 1992, must define success in terms of knowledge domains.

SUCCESS CRITERIA METHOD

Using the "success criteria" method, successful course completion is based upon students meeting the established success criteria

specified for all objectives in this document. Tracking performance objectives to document student achievement is mandatory; however, the tracking system to be used is optional.

Student success criteria have been established, using a comprehensive field survey, whereby percentiles of 70%, 80%, 90% or 100% were identified to each performance objective. (Note: 100% Performance Objectives are "Must Pass")

The given percentage must be attained in each Functional Area; however, the test may encompass more than one functional area.

Functional Area 1.0 contains 26 performance objectives: 20 of them are in the 70 percentile and 5 are in the 80 percentile. There are no performance objectives in the 90 or 100 percentile.

Each student must complete 70% (I.E., 14) of the 20 performance objectives in the 70 percentile and 80% (I.E., 4.8) of the 6 performance objectives in the 80 percentile in Functional Area 1.

Example: An examination is given covering all 26 performance objectives in Functional Area 1.

A student who successfully completed all 20 performance objectives in the 70 percentile but who only successfully completed 3 of the 6 performance objectives in the 80 percentile would have failed functional area 1. You cannot use the score from one section to raise the score of another section which has been failed.

An academy may have higher student success criteria than the POST minimum standard but must be prepared to defend its higher standard.

KNOWLEDGE DOMAIN METHOD

Using the "knowledge domain" method, successful course completion is based on passing knowledge domain tests and demonstrating proficiency on psychomotor performance objectives. The Basic Course contains two types of performance objectives: (a) objectives which require the students to demonstrate knowledge, and (b) objectives which require the students to demonstrate psychomotor skills. These performance objectives are described in this document.

Knowledge Domain Tests. POST measurement experts (psychologists), with the assistance of subject matter experts, have developed knowledge domain tests covering all the knowledge objectives in the Basic Course. The knowledge domain tests are constructed as follows: (a) knowledge objectives covering similar content are assigned to the same knowledge domain; (b) test items are written addressing each of the objectives; (c) a minimum of two tests are constructed for each knowledge domain; and (d) a cut score (i.e., a minimum passing score) is set for each knowledge domain based on judgements about the level of proficiency needed and the difficulty of the test items.

Exercises and Scenarios. With the assistance of subject matter experts, POST has designed exercises and scenarios which assess the skills called for by each of the Basic Course psychomotor performance objectives. The exercises and scenarios are described in the POST Basic Course Scenario Manual. In assessing a student's performance on each psychomotor objective, an academy may use a POST-designed exercise or scenario or an academy-developed exercise or scenario designed to assess the same psychomotor skill.

Requirements for Successfully Completing the Basic Course. To successfully complete the Basic Course, a student must (a) obtain a score on each POST-constructed, knowledge domain test which is equal to or greater than the cut score established by POST, and (b) demonstrate, in an exercise or scenario, the required psychomotor skills associated with each psychomotor performance objective at a level consistent with adequate performance in the field, as judged by the academy. If a student fails a knowledge domain or psychomotor skills test when first tested, the student will be given only one opportunity (except as noted below) to retake the test.

Retaking a Knowledge domain Test. Students who fail a knowledge domain test on the first attempt shall be provided with an opportunity to: (a) review their test results in a manner which does not compromise test security; (b) have a reasonable time, established by each academy, to prepare for a retest; and (c) be provided an with one, and only one, opportunity to be retested on the knowledge domain with a POST-constructed, parallel form of the same test. If a student fails the second test, the student shall be dismissed from the academy class in which he or she is currently enrolled unless the student missed instruction relevant to the test in question due to an academy-approved absence, in which case the student may be permitted to retest a second time. ~~in the judgement of the academy director, one or more of the following circumstances prevented the student from taking the test on an equal basis with the other students:~~

- ~~e the student was ill or injured,~~
- ~~e the student was emotionally traumatized by an event such as the death of a family member or close friend, or~~
- ~~e the student was unable to receive the same instruction as other students due to factors beyond the student's control.~~

An academy director who permits a student to be retested more than once on the same knowledge domain is required to prepare and retain a written record containing the following information: (a) the student's name, (b) the date the student was retested, (c) the knowledge domain on which the student was retested, (d) the test results, and (e) the reasons for allowing the student an opportunity to be retested. This record must be maintained by the academy director and made available for POST inspection upon request.

A student who is dismissed from an academy class for failure to pass a knowledge domain test on the second attempt may, at the discretion of the academy director, be enrolled (recycled) in a subsequent class.

Retaking a Test on a Psychomotor Objective. Students who take and fail a test on a psychomotor objective (as determined by the academy) shall be given one opportunity to retake the test. Students who fail the same objective when retested shall be dismissed from the academy class in which they are currently enrolled.

Students who retake a psychomotor test and perform marginally (as determined by the academy) may be retested again (at the discretion of the academy). Marginal performance is a judgment that the student's performance on the test does not clearly demonstrate either competence or incompetence.

Academy Requirements. POST has established minimum training requirements for the Basic Course. However, POST recognizes that academies must respond to the needs of the local law enforcement agencies which they serve and that this may justify additional training requirements or higher performance standards than those mandated by POST.

PHYSICAL CONDITIONING PROGRAM AND PHYSICAL ABILITIES TEST

Regardless of the method used to determine successful completion of the Regular Basic Course (i.e., the "success criteria" method or the "knowledge domain" method), the POST-developed physical conditioning program must be followed within Functional Area 12.0 and students must pass a POST-developed physical abilities test as described in the POST Basic Academy Physical Conditioning Manual at the conclusion of the conditioning program as a condition for successful course completion. The use of alternatives to the POST-developed physical abilities test is subject to approval by POST. Course presenters seeking POST approval to use alternative tests shall present evidence that the alternative tests were developed in accordance with recognized professional standards, and that alternative tests are equivalent to the POST-developed test with respect to validity and reliability. Evidence concerning the comparability of scores on the POST-developed test and the proposed alternative test is also required.



COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

November 23, 1990

BULLETIN: 90-27

SUBJECT: PUBLIC HEARING - COURSE COMPLETION REQUIREMENTS FOR THE
REGULAR BASIC COURSE

The Commission has scheduled a public hearing to consider adoption of regulations on this subject. The hearing is set for:

Date: January 17, 1991
Time: 10:00 a.m.
Place: Holiday Inn on the Bay
San Diego, California

The purpose of this hearing is to consider proposed changes to Commission Procedure D-1 which would: (1) Establish new requirements for completing the Regular Basic Course; (2) Allow the continued use of existing course completion requirements until October 1, 1992; and (3) Require the use of the new requirements for all Regular Basic Course classes starting on or after October 1, 1992.

Procedure D-1 currently requires that Regular Basic Course students pass a certain percentage of performance objectives in each of the course's 12 functional areas, as specified in the document "Performance Objectives for the POST Basic Course". Under these requirements, each academy is responsible for developing tests, setting cut scores, and establishing a policy for retesting students who fail tests.

Under the proposed new system, performance objectives which require demonstration of knowledge are distinguished from performance objectives which require demonstration of psychomotor skills. The former are grouped into "knowledge domains" based on similarity of subject matter content. Students must pass a POST-constructed test for each knowledge domain, with the minimum passing score established by POST. Student mastery of each psychomotor skill performance objective must be demonstrated in an exercise or scenario, with the specific evaluation procedures and standards used left to the discretion of each local academy. Students who fail a knowledge domain or psychomotor skills test can only be retested once.

Thirty academies participated in a pilot study of the new system. Study results included a showing that students trained under the new system scored significantly higher on a comprehensive test of course knowledge than students trained under the existing system.

The Commission may adopt other changes related to this rulemaking action based upon the public hearings proceedings and written comments received. The Commission invites input on this matter.

The attached Notice of Public Hearing required by the Administrative Procedures Act provides details concerning the proposed regulation changes and provides information regarding the hearing process. Inquires concerning the proposed action may be directed to Kathy Delle, Staff Services Analyst, 1601 Alhambra Boulevard, Sacramento, CA 95816-7083, telephone (916) 739-5400.

Norman C. Boehm

NORMAN C. BOEHM
Executive Director

Attachment

Commission on Peace Officer Standards and Training

NOTICE OF PUBLIC HEARING

COURSE COMPLETION REQUIREMENTS FOR THE REGULAR BASIC COURSE

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested by Sections 13506 and 13510 of the Penal Code, and in order to interpret, implement and make specific Sections 832.3 and 13510 of the Penal Code, proposes to adopt, amend, or repeal regulations in Chapter 2 of Title 11 of the California Code of Regulations. A public hearing to adopt the proposed amendments will be held before the full Commission on:

Date: January 17, 1991
Time: 10:00 a.m.
Place: Holiday Inn on the Bay
1355 N. Harbor Drive
San Diego, CA 92101

Notice is also hereby given that any interested person may present oral or written statements or arguments, relevant to the action proposed, during the public hearing.

INFORMATIVE DIGEST

COMMISSION PROCEDURE D-1

Commission Procedure D-1 (incorporated by reference into Commission Regulation 1005) specifies the POST basic training requirements for all peace officer members of law enforcement agencies participating in the POST program. Requirements for the Regular Basic Course are set forth in Procedure D-1, Paragraphs 1-2 and 1-3.

Procedure D-1 currently requires that, for the Regular Basic Course, performance objectives be tested as specified in the document "Performance Objectives for the POST Basic Course." This document lists approximately 600 performance objectives in 12 functional areas, and assigns each objective a "success criterion" of 70%, 80%, 90%, or 100%.

A replacement system for evaluating students and for defining successful completion of the Regular Basic Course has been developed and pilot tested. Under the new system, called the "knowledge domain" system, objectives which require the student to demonstrate a psychomotor skill are evaluated independently from objectives which require the student to demonstrate an intellectual skill.

Each psychomotor performance objective is evaluated in an exercise or scenario. Students are required to demonstrate proficiency on each psychomotor objective in order to successfully complete the Regular Basic Course.

Objectives which require the student to demonstrate intellectual skills are grouped into categories called knowledge domains. Each knowledge domain covers a specific subject matter area, and students are required to pass a POST-constructed test on each knowledge domain.

Proposed changes to Commission Procedure D-1 will permit academies to use, until October 1, 1992, either the success criteria system or knowledge domain system for determining successful completion of the Regular Basic Course. Academy classes which begin on or after October 1, 1992, must use the knowledge domain method for determining successful completion of the Regular Basic Course.

Other proposed changes to Commission Procedure D-1 will clarify the requirement that performance objectives be taught and tested as specified in the document "Performance Objectives for the Basic Course" by simply directing the reader to the location of requirements for successful course completion.

PERFORMANCE OBJECTIVES FOR THE POST BASIC COURSE

Knowledge domain requirements for successfully completing the Regular Basic Course are proposed for inclusion in Commission Procedure D-1 and in the publication "Performance Objectives for the POST Basic Course," which is also incorporated by reference into Commission Regulation 1005.

An additional proposed change to the Performance Objectives publication includes reference to a third document, the "Basic Course Scenario Manual," which is recommended for use by academies in implementing the Regular Basic Course.

PUBLIC COMMENT

The Commission hereby requests written comments on the proposed actions. All written comments must be received at POST no later than 4:30 p.m. on January 7, 1991. Written comments should be directed to Norman C. Boehm, Executive Director, Commission on Peace Officer Standards and Training, 1601 Alhambra Blvd., Sacramento, CA 95816-7083.

ADOPTION OF PROPOSED REGULATIONS

After the hearing and consideration of public comments, the Commission may adopt the proposals substantially as set forth without further notice. If the proposed text is modified prior

to adoption and the change is related but not solely grammatical or nonsubstantial in nature, the full text of the resulting regulation will be made available at least 15 days before the date of adoption to all persons who testified or submitted written comments at the public hearing, all persons whose comments were received by POST during the public comment period, and all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date on which the revised text is made available.

TEXT OF PROPOSAL

Copies of the Statement of Reasons and exact language of the proposed action may be obtained at the hearing, or prior to the hearing upon request in writing to the contact person at the address below. This address also is the location of all information considered as the basis for these proposals. The information will be maintained for inspection during the Commission's normal business hours (8 a.m. to 5 p.m.).

ESTIMATE OF ECONOMIC IMPACT

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Small Business Impact: None

Cost Impact on Private Persons or Entities: None

Housing Costs: None

CONSIDERATION OF ALTERNATIVES

In order to take this action, the Commission must determine that no alternative considered by the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Inquiries concerning the proposed action and requests for written material pertaining to the proposed action should be directed to Kathy Delle, Staff Services Analyst, 1601 Alhambra Blvd., Sacramento, CA 95816-7083, or by telephone at (916) 739-5400.

Commission on Peace Officer Standards and Training

Public Hearing: Course Completion Requirements for the Regular Basic Course

STATEMENT OF REASONS

The Commission on Peace Officer Standards and Training (POST) proposes to amend Commission Regulation 1005 to change the course completion requirements for the Regular Basic Course.

Existing requirements are complex and difficult for academies to administer. Moreover, because performance objectives are grouped into very broad categories (functional areas) for the purpose of determining student success, a student can compensate for deficiencies in one area by performing particularly well in other, unrelated areas. Also, because psychomotor skills, such as shooting, are grouped with intellectual skills such as knowledge of the laws governing the use of deadly force, it is possible for a student to fail an important psychomotor objective and still successfully complete the Basic Course. Finally, the existing requirements make academies responsible for writing test items and constructing tests, imposing a burden on academies which may lack the technical resources to construct appropriate tests.

Pilot Study

In recognition of these shortcomings, POST staff requested and received approval from the Commission in October 1985 to pilot test a replacement system for evaluating students and for defining successful completion of the Regular Basic Course.

Under the new system, called the "knowledge domain" system, objectives which require the student to demonstrate a psychomotor skill are evaluated independently from objectives which require the student to demonstrate an intellectual skill. With the assistance of subject matter experts, POST has developed exercises and scenarios which assess the skills called for by each Basic Course psychomotor performance objective. Students are required to demonstrate proficiency on each and every psychomotor objective in order to successfully complete the Regular Basic Course.

Objectives which require the student to demonstrate intellectual skills are grouped into categories called knowledge domains. Each knowledge domain covers a specific subject matter area. Students are required to pass a POST-constructed test on each knowledge domain. Tests are constructed in accordance with the principles for the development of educational and psychological

tests (i.e., Standards for Educational and Psychological Testing, 1985, prepared by the American Educational Research Association, the American Psychological Association, and the National Council on Measurement in Education; published by the American Psychological Association, Washington, D.C.).

There are currently 35 academies presenting the POST Basic Course. Thirty academies volunteered to participate in a pilot test to assess the effectiveness of the knowledge domain system. The average proficiency test score of academy classes trained under the existing requirements was compared to the average proficiency test score of academy classes trained under the knowledge domain requirements. (Note: The proficiency test is a comprehensive, end-of-course test mandated by the Legislature.) The average proficiency test score of academy classes trained under the existing requirements was 48.2, while the average score of students trained under the knowledge domain system was 54.7. This is a large difference (i.e., 0.7 standard deviations) and is statistically significant ($t = 4.67$, $df = 159$, $p < 0.0001$).

Interviews with academy administrators and instructional staff, who trained students under both sets of requirements, revealed a strong preference for the knowledge domain system. Reasons given included the conceptually simpler scheme for defining success, better tests, and improved test scores on the POST proficiency test.

Reasons for Proposed Changes

There are four major reasons for the proposed changes: (a) to provide a simpler and psychometrically sounder system for defining successful completion of the Regular Basic Course, (b) to increase the reliability and validity of the classroom tests used in the Regular Basic Course, (c) to increase the uniformity of the procedures used to evaluate Basic Course students, and (d) to reduce the likelihood that students will successfully complete the Regular Basic Course without acquiring the intellectual and psychomotor skills needed to function effectively as California peace officers. Specific changes and the reasons for making them are described below.

Changes

Deleting the words
"performance objectives must
be taught and tested" from
Commission Procedure D-1

Reasons

This change was made for
clarity purposes. Performance
objectives describe
instructional outcomes, and
should not be confused with
the process of instruction
(i.e., teaching). As

Allow academies until
October 1, 1992, to convert to
the knowledge domain method

Adding the Regular Basic
Course completion requirements
to both Commission Procedure
D-1 and to "Performance
Objectives for the POST Basic
Course"

Requiring students to obtain a
score on each POST-
constructed, knowledge domain
test which is equal to or
greater than the cut score
established by POST

proposed, the reader is now
simply directed to the
location of requirements for
successful course completion.

The knowledge domain system
requires academies to
reorganize the way they
deliver instruction.
Allowing academies until
October 1, 1992, will give
them time to prepare for the
transition to the new system.

This duplication is required
for clarity purposes. The
completion requirements for
the POST Basic Course
determine whether an
individual can lawfully
perform the duties of a peace
officer. These requirements
were placed in Commission
Procedure D-1 because this
section of the POST
Administrative Manual defines
the basic training
requirements for other law
enforcement job classes. In
addition, the requirements
were also placed in
"Performance Objectives for
the POST Basic Course" because
this is the documented relied
upon by the academy
administrators who deliver the
Regular Basic Course training.

Data collected in 1985 showed
that 10 percent of the
students who successfully
completed the Regular Basic
Course could not answer 50% of
the questions on a
comprehensive, multiple-choice
test designed to measure the
knowledge that they were
supposed to have acquired
during training. A pilot
study conducted between 1987
and 1989 showed that requiring
students to take and pass

POST-developed tests (with cut scores set at an appropriate level) produced a large, significant increase in average scores on the comprehensive test and virtually eliminated scores below 50 percent.

Cut scores are set by POST measurement experts based on the statistical characteristics of the tests and the judgments of subject matter experts regarding the relationship between test performance and job performance.

Requiring students to demonstrate, in an exercise or scenario, the required psychomotor skills associated with each psychomotor performance objective at a level consistent with adequate performance in the field, as judged by the academy

The existing method of defining successful completion of the Regular Basic Course allows students to completely fail some psychomotor objectives and still successfully complete the Regular Basic Course. These psychomotor objectives involve critical, high-liability skills such as driving, shooting, cardiopulmonary resuscitation, and weaponless defense. Students who are not proficient in these skills when they leave the academy pose a significant danger to themselves and the public they are supposed to serve.

Allowing students one, and only one, opportunity to retake a knowledge domain test

On a given test administration, students obtain scores that are both lower and higher than would be expected given their "true" level of achievement. Therefore, when students fail tests which have serious consequences for them personally, they should be retested. An opportunity to retake a test substantially reduces the likelihood that a

proficient student will be erroneously dismissed from an academy. On the other hand, the pace of instruction at a basic course academy provides very little opportunity for remedial learning. A student who fails a test on the same domain (topic) on two occasions is very likely to be seriously deficient in the knowledge he or she was supposed to acquire and not a victim of psychometric error.

Allowing students an opportunity to review their test results and prepare to retake a test

Students who have otherwise mastered a topic may be confused by some aspect of the test instructions or format and, as a result, receive an erroneously low score. It's therefore appropriate to review test results with students who have failed a test and give them an opportunity to retake it.

Permitting exceptions to the one test retake rule

While the uniform application of training standards is an important goal for POST, there are inevitably situations where the wooden application of these standards would result in a serious injustice. Therefore, provision is made for academy directors to exercise discretion and permit more than one test retake in situations where circumstances, beyond a student's control, have made it impossible for the student to take a test on an equal basis with the other students.

Requiring academy directors to document the circumstances surrounding exceptions to the one test retake rule

Whenever discretion is allowed, it can also be abused. POST conducts periodic audits of the basic training academies. Requiring academy directors to document exceptions to the one test

Allowing students to enroll in a subsequent class who are dismissed from the academy for failing to pass a domain test on the second attempt

Allowing students who fail a psychomotor objective one opportunity to retake the test

Allowing academies the discretion to retest students who perform marginally on psychomotor tests

retake rule will discourage abuse and, should it occur, make it easier to detect.

Students who fail a domain test after two attempts are very likely to need more instruction on the topic which they failed. In an ongoing academy class, students are continuously confronted with new topics. Therefore, there is little time to provide instruction on earlier topics which the student has not yet mastered. Starting over in a new class allows the student the opportunity to obtain the needed instruction.

Tests of psychomotor skills tend to be less reliable and more expensive to administer than tests of intellectual skills. Lower reliability means that there is a greater chance that competent students will be erroneously classified as incompetent, and incompetent students will be erroneously classified as competent. A student who fails a test on the same psychomotor skill on two occasions is very likely to be seriously deficient in mastering the skill.

Because tests of psychomotor skills are very expensive to administer, whether to retest students who perform marginally, as well as the number of retests to be given, is left to the discretion of the academy so that they can allocate their resources in a manner most consistent with local priorities.

Allowing academies to add training requirements and increase performance standards

POST's role is to provide **minimum, statewide** standards for peace officers. However, each regional academy serves a different group of law enforcement agencies with different personnel needs. Allowing academies to add training requirements and increase performance standards makes it possible for each academy to tailor training to the needs of the agencies which they serve.

Adding the Basic Course Scenario Manual to documents listed in "Performance Objectives for the POST Basic Course" which are recommended, but not required, to be used in implementing the Regular Basic Course

The Basic Course Scenario Manual and the other documents listed in "Performance Objectives for the POST Basic Course" were prepared to assist academies by providing them with supplemental information on the effective, efficient implementation of the Basic Course. These documents do not add any requirements.

CONSIDERATION OF ALTERNATIVES

In order to take this action, the Commission must determine that no alternative considered by the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Supervisory Leadership Institute Tuition		January 17, 1991
Bureau	Reviewed By	Researched By
Center for Leadership Development	Doug Thomas	Doug Thomas
Executive Director Approval	Date of Approval	Date of Report
Maurice C. Becker	1-2-91	December 19, 1990
Purpose:		Financial Impact:
<input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

Issue

Should the Commission adopt a tuition for all eligible non-reimbursable agencies to attend the Supervisory Leadership Institute as is presently done with the Command College?

Background

The Supervisory Leadership Institute began its first pilot class in 1988. Since that time six additional classes have been conducted. These first seven classes consisted of sergeants from reimbursable agencies only. Classes eight through thirteen have now been selected. These new classes each contain one sergeant from a non-reimbursable agency.

At the January 1987 meeting, the Commission designated a tuition be charged for all eligible, non-reimbursable agencies desiring to send participants to the Command College. An increasing number of non-reimbursable agencies, including the California Highway Patrol, the Department of Justice, State Parks and Recreation, Cal-Expo, Transit and Harbor Police, are now expressing an interest in sending participants to the Supervisory Leadership Institute as well.

Analysis

The direct Supervisory Leadership Institute cost per participant in 1990 was \$1,568. The costs per student are as follows:

Instruction	\$ 912.
Supplies	95.
Instructor Travel/Per Diem	391.
Facility Rental/Misc.	<u>170.</u>
	\$1,568.

There is no provision in current state law for the Commission to waive or ignore this as it would constitute reimbursement to non-reimbursable agencies.

This is before the Commission as an initial item. In future years, tuition costs for the Supervisory Leadership Institute would be evaluated and reported annually to the Commission.

Recommendation

It is recommended that a tuition of \$1,568 be established for non-reimbursable agencies, as is the case with the Command College, to cover the direct costs for participation in the Supervisory Leadership Institute beginning with class eight on January 14, 1991 and to direct staff to submit a report annually with recommendations for setting the tuition rate for the coming year.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title POST Program to Recognize Physically Fit Peace Officers		Meeting Date January 17, 1991
Bureau Standards & Evaluation	Reviewed By	Researched By John Berner <i>[Signature]</i>
Executive Director Approval <i>[Signature]</i>	Date of Approval 12-31-90	Date of Report December 31, 1990
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Status report on development of POST program to recognize physically fit peace officers.

BACKGROUND

In November 1988, the Commission directed staff to develop a model in-service physical fitness program. Specifically, staff was directed to develop a program for recognizing officers who exhibit exemplary levels of fitness, with the understanding that the program would be voluntary in nature, would be administered by local agency personnel, and would contain the following program elements:

1. A physical fitness test battery consisting of items that can be easily administered, require a minimum of equipment, and for which test norms exist by age and gender.
2. A comprehensive manual for use by local agency program administrators, containing information ranging from recommended medical prescreening procedures, to protocols for administering the fitness tests and interpreting scores on the tests, to general educational material on the topics of exercise, diet and nutrition.
3. A formal award structure for recognizing those officers who achieve exemplary levels of fitness.

ANALYSIS

A final draft of the proposed program has been completed. The fitness test battery consists of the following tests: 1.5 Mile Run (or 3 Mile Walk); Waist-to-Hip Ratio; Sit and Reach Test; Number of Push-Ups (no time limit); Number of Abdominal Crunches (1 minute time limit); and Percent Body Fat (optional). Descriptions of the tests, as well as instructions for proctoring the tests, are included in the

program coordinator's manual, a copy of which is provided under separate cover.

The proposed award structure is modeled after the bronze, silver and gold award system used in the Olympics and other athletic competitions. In order to achieve the bronze "award", an individual must score at the 60th percentile, relative to his/her age group, on each of the fitness tests. Scores at or above the 70th percentile on all tests are required to qualify for the silver "award"; scores at or above the 80th percentile on all tests are required to obtain the gold "award". In addition, in order to qualify for any of the "awards" an officer must: (1) know and understand his/her cholesterol level, (2) develop an approved exercise program, and (3) pass a written exam which measures general knowledge of health and fitness concepts and principles. An additional requirement for receipt of the silver "award" is abstention from the use of any tobacco products for the previous two months. Nonuse of any tobacco products for the previous 12 months is required to qualify for the gold "award". Any "award" earned is good for a one year period, at which time the individual must again qualify (i.e., be retested).

In addition to those program elements requested by the Commission, a detailed officer's manual has been drafted (also enclosed under separate cover). This manual outlines all program requirements, includes information designed to aid the individual in developing his/her personal fitness program, and contains a great deal of educational material pertaining to health risk factors, physical conditioning principles, injury prevention and treatment, etc. The above mentioned written exam tests knowledge of this material.

In its current form, the program calls for POST to formally recognize those officers who qualify for the different "awards". Specifically, POST would issue a certificate of achievement to those officers who meet the requirements for either a bronze, silver or gold "award", and would further issue a lapel pin to those who qualify for the gold "award".

Assuming the Commission approves of the program as described, staff will begin field testing the program in a few interested local agencies. Such field testing will provide valuable information as to the reasonableness and administrative feasibility of all program elements, and will further provide additional test score information that is needed to bolster the reliability of the test norms (by age and gender group) for some of the fitness tests. A number of agencies have expressed an interest in participating in such a field test, the results of which should be available within six months.

While the proposed program calls for POST to issue certificates and lapel pins for the various "awards", other alternatives obviously exist with respect to the nature and extent of POST involvement in the recognition process (including no involvement, with all "awards" issued by the local agency). Furthermore, any form of formal

recognition by POST of those officers who meet the different fitness criteria would be precedent setting in that for the first time the Commission would be acknowledging officers for personal achievement resulting from participation in a strictly voluntary program.¹ Given the potential far reaching policy implications of such an action, and the potentially significant staffing and budgetary ramifications that could result from implementation of even the modest certificate and lapel pin approach currently contained in the program, the Commission may wish to ask the Long Range Planning Committee to review this feature of the program prior to actual program release and implementation.

RECOMMENDATION

Receive the staff report, authorize limited field testing of the program, and request that the Long Range Planning Committee evaluate and report back on alternatives with respect to POST recognition of those officers who meet the different fitness criteria enumerated in the program.

¹As contrasted to achievement in the form of successfully completing a POST-specified training course, or achievement in the form of satisfying the education and experience requirements for a given POST Professional Certificate.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract with City of Los Angeles for Assistance in Revising the POST Medical Screening Manual		Meeting Date January 17, 1991
Bureau Standards & Evaluation	Reviewed By <i>John G. Bann</i>	Researched By Shelley Spilberg
Executive Director Approval <i>William C. Boehm</i>	Date of Approval 12-31-90	Date of Report December 26, 1990
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE:

Request to contract with the City of Los Angeles for the services of Dr. Robert Goldberg in revising the POST Medical Screening Manual for California Law Enforcement.

BACKGROUND

The POST Medical Screening Manual for California Law Enforcement is a resource document designed to assist local agencies in making job-related decisions regarding the medical suitability of peace officer applicants. The manual, which was published in 1977, contains information on over 300 medical conditions, each accompanied by a disposition recommendation (e.g., "disqualify," "not medically disqualifying") and a brief rationale for that recommendation.

ANALYSIS

Significant changes in both labor law and medical knowledge have occurred since the original publication of the manual 13 years ago. Accordingly, staff have embarked on a major revision of the document. A methodology for completing the revision has been finalized, and staff have begun making the necessary revisions per this plan. We are now at the point in the revision process where the concerted assistance of medical experts is needed to assist in the development of new medical examination protocol and evaluation criteria.

Dr. Robert Goldberg, who is Assistant Director of the Occupational Health and Safety Division for the City of Los Angeles, has participated on a limited basis in the revision activities completed to date. In his capacity with the city, Dr. Goldberg is responsible for the medical screening of all candidates for employment with the Los Angeles Police Department.

The purpose of this agenda item is to request authority to contract with the City of Los Angeles for an amount not to exceed \$26,000 for the services of Dr. Goldberg. Under the terms of the proposed contract, Dr. Goldberg would work up to 55 days on the revision of the POST medical screening manual, with the majority of his time spent on developing draft medical protocol and evaluation criteria, assisting in the conduct of medical specialist panel meetings, and participating in the consolidation and refinement of panel products into a cohesive document. Dr. Goldberg is eminently qualified to perform the work due to his current responsibilities with the City of Los Angeles. Moreover, he is very familiar with the project due to his involvement to date. The City of Los Angeles is prepared to contract with POST for his services at an hourly rate which equals the current costs to the city for his salary and benefits.

RECOMMENDATION:

Authorize the Executive Director to enter into an interagency agreement with the City of Los Angeles for an amount not to exceed \$26,000 for the services of Dr. Robert Goldberg to assist POST staff in making necessary revisions to the POST Medical Screening Manual for California Law Enforcement.

COMMISSION AGENDA ITEM REPORT			
Agenda Item Title Community College ADA Funding Cap Study		Meeting Date January 17, 1991	
Bureau Training Program Svcs.	Reviewed By Ken O'Brien <i>Ken</i>	Researched By Don Moura	
Executive Director Approval <i>Monroe C. Boehm</i>	Date of Approval 12-31-90	Date of Report December 14, 1990	
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No	
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.			
<p><u>ISSUE</u></p> <p>Should the Commission support the introduction of legislation that would exempt POST-certified training courses from the Community College ADA Funding Cap?</p> <p><u>BACKGROUND</u></p> <p>The community college ADA funding Cap issue resulted from a request from the POST Advisory Committee to the Commission at the July 1990 meeting. The Advisory Committee had received input that the community college funding Cap for POST certified courses was adversely affecting the ability of community college POST-certified presenters to meet law enforcement training needs. A conservative estimate of current POST-certified courses presented through community colleges is 75%-80%. If these concerns were in fact accurate, it could potentially be a major detriment to the ability of POST to meet law enforcement training needs. As a result of these concerns, the Commission directed staff to study the ADA Cap issue.</p> <p>As background, community college districts derive their funding from Federal, State and Local Apportionments, and student enrollment fees. Of these revenues the largest percentage is generated from the State through the California Community College Chancellor's Office based on the individual college reporting their ADA data to the Chancellor's Office. ADA is defined as a unit of Average Daily Attendance (ADA) representing class contact hours of scheduled student instructional activities.</p> <p><u>ANALYSIS</u></p> <p>A survey questionnaire was developed to survey community colleges as to the impact of the ADA growth cap upon law enforcement training. Of particular interest was determining whether limitations exist on presenting needed new courses or curtailment of existing course presentations. The survey (see Attachment A) was sent to the 58 POST certified community college presenters. Of the 49 (84%) community college presenters responding, the majority indicated that they perceived a problem, however, the data reflects that the full impact of the problem has not reached its fullest impact on law enforcement</p>			

training programs. There are many presenters where the problem of presenting new or expanded course material is facing them immediately as indicated in Question #1 and #2. In Questions #3 and #4, 63% and 55% respectively stated that they were not aware of any adverse impact on Public Safety training programs at their college and they had not been required to limit or control enrollments in their courses. The results of the survey, clearly show that presenters forecast that the full impact of the problem will reach their programs by the end of the current fiscal year. In Question #5, 96% of the respondents state that enrollment trends have been, and will continue to be, on a steady increase. Because of the concerns for the current fiscal year and beyond, 98% of the respondents believe that an exemption from the ADA Cap should be pursued for law enforcement training programs.

Despite some documented problems, the majority of colleges are not suffering from the curtailment of existing or new course presentations. In order to obtain an exemption for POST certified courses it would require legislation. Numerous other academic disciplines would also like to be exempt from the ADA Cap, hence the legislation approach could be met with resistance. While a strong case could be made based on state-mandated training and the correlation between POST certified courses and public safety issues, at this time a legislative attempt would be on weak ground without the data to support the need.

It appears reasonable that the Commission not support legislation at this time to exempt law enforcement training programs from the ADA Cap but direct staff to continue to monitor the situation and report back to the Commission if the problem actually becomes an impediment to the delivery of law enforcement training programs.

RECOMMENDATION

Direct staff to continue to monitor the impact of the community college ADA Cap and report back should further action appear warranted.

Commission on Peace Officer Standards and Training

IMPACT OF COMMUNITY COLLEGE ADA GROWTH CAP

Survey Questions

(Name)	(Title)	(Community College)	
1. Was there an ADA Cap problem at your college for Academic Year 89-90?		Yes	No
1a. If yes, did the ADA Cap limit your ability to present new course presentations to meet identified agency training needs?		38 (78%)	11 (22%)
		Yes	No
		23 (61%)	15 (39%)

If yes, state number of courses where a newly identified agency training need could not be met

17 Responses

9 (53%) = Two or less
 1 (6%) = Four
 1 (6%) = Ten
 2 (12%) = Twenty
 1 (6%) = Thirty
 2 (12%) = Level I Reserve Academy
 1 (6%) = Basic Academy

1b. If yes, did the ADA Cap Limit your ability to expand the number of existing course presentations in order to meet additional identified agency training needs for existing courses?	Yes	No
	17 (45%)	21 (55%)

If yes, state number of additional course presentations where identified agency training needs could not be met

12 Responses

6 (50%) = Two or less
 2 (16%) = Three

- 1 (8%) = Four
- 1 (8%) = Fifteen
- 1 (8%) = Twenty
- 1 (8%) = Forty

2. Do you anticipate an ADA Cap problem at your college for Academic Year 90-91?

Yes	No
40	9
(82%)	(18%)

2a. If yes, do you anticipate that the ADA Cap at your college will limit your ability to present new course presentations to meet newly identified agency training needs?

Yes	No
30	10
(75%)	(25%)

If yes, state number of courses where a newly identified agency training need will not be able to be met

15 Responses

- 4 (27%) = Two or less
- 2 (13%) = Four
- 3 (20%) = Five
- 1 (1%) = Twenty
- 1 (1%) Limited marketing already
- 1 (1%) Depends on spring enrollment
- 1 (1%) Hold growth at current levels
- 1 (1%) 400 to 500 hours in-service
- 1 (1%) Anticipate more requests than ADA Cap will allow

2b. If yes, do you anticipate that the ADA Cap at your college will limit your ability to expand the number of existing course presentations in order to meet additional identified agency training needs for existing courses?

Yes	No
28	12
(70%)	(30%)

If yes, state number of additional presentations of existing courses that will not be able to be met

13 Responses

- 2 (15%) = Two or less
- 1 (8%) = Three
- 3 (23%) = Five
- 3 (23%) = Seven

- 2 (15%) = Twenty
- 1 (8%) = Forty
- 1 (8%) = Hold to current level

3. Are you aware of any other adverse impact on Public Safety training programs at your college?

Yes	No
18 (37%)	31 (63%)

If yes, please explain:

5 Responses:

- No increase in part-time instructor budget
- Reduction in funding for training equipment
- Reduction in available facilities
- Fire academy
- Basic correction

4. Have you been required to limit or control enrollment in your courses?

Yes	No
22 (45%)	27 (55%)

If yes, please explain:

7 Responses

- Classroom size and availability
- Reduction in number of classes allowed
- (4 comments) cannot exceed Cap
- Only in pre-service AJ

5. What has been your recent experience in enrollment trends at your college?

Up	Down	Stable
47 (96%)	0	2 (4%)

6. Do you believe that an exemption from the ADA Cap should be pursued for statewide mandated law enforcement training programs?

Yes	No
48 (98%)	1 (2%)

COMMISSION AGENDA ITEM REPORT

Agenda Item Title POST Regualification Course Curriculum Update		Meeting Date January 17, 1991
Bureau Training Program Svcs.	Reviewed By Glen Fine	Researched By Ken O'Brien
Executive Director Approval <i>Norman C. Boehm</i>	Date of Approval 12-31-90	Date of Report December 17, 1990
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission approve curriculum changes for the 120 hour Regualification Course?

BACKGROUND

The Regualification Course was designed to facilitate employment or reemployment for the following: non-sworn, open-enrollment students who had completed the Basic course but not hired within three years; previously sworn employees with a three-year break in service; and, out-of-state peace officers who needed to prepare to take the Basic Course Waiver Test

The Commission originally approved the 80-hour Regualification Course on January 1, 1988, and approved its expansion to 120 hours on January 1, 1990. The forty hour expansion in January 1, 1990 was the direct result of training mandated by the Legislature in the following subjects: First Aid, CPR, Child Abuse, Sexual Assault and Missing Persons Investigations.

Between January 1, 1990 and the present, the Legislature and the voters have mandated additional training in the following areas: Sudden Infant Death Syndrome Awareness, Handling the Developmentally Disabled, Proposition 115 - Hearsay Testimony, and Carcinogenic Substances. This report proposes a recommendation to modify the existing Regualification Course to include these subjects within the current 120 hours.

ANALYSIS

There are three important reasons for including the proposed modifications in the Regualification Course: agencies who hire these officers would be spared the expense and inconvenience in having to send these officers to receive this training in "piecemeal" fashion; liability problems that may arise as a result of failure to train are decreased; and, presenters would not be burdened with the coordination and related problems associated in presenting courses of short duration. Moreover, the addition of these subjects can be accomplished without affecting the overall quality or intent of the Regualification Course. Thus the following modifications are proposed:

ADD:

Sudden Infant Death Syndrome Awareness	+2 hours
Mentally Ill and Developmentally Disabled	+2 hours
Hearsay Testimony (Proposition 115)	+1 hour
Carcinogenic Substances	+1 hour

Total = + 6 hours

REDUCE:

Report Writing (currently 10 hours)	-2 hours
Officer Safety (currently 8 hours)	-2 hours
Patrol Hazards (currently 8 hours)	-2 hours

Total = - 6 hours

Decreasing the number of hours from Officer Safety, and Patrol Hazards will not detract from the "review" intent of these topics and will keep the remaining portion of the Requalification Course intact.

These proposed modifications were reviewed by the two presenters and supported by them. Attachment A provides information on the 1989-90 trainees who completed the Requalification Course, and Attachment B lists the Course's topical outline. No additional changes were made.

RECOMMENDATION

Approve the revised curriculum for the Requalification Course. The revised course will become effective January 1, 1991.

ATTACHMENT A

**1989-90 FY Trainees for the
POST Requalification Course**

Course Presentations and Trainees

	<u>Presentations</u>	<u>Total Trainees</u>
Golden West College	5	121
Sacramento Training Center	5	119
TOTAL	10	240

Type of Trainee

	<u>Peace Officer</u>	<u>Non- Peace Officer</u>	<u>Reserve Officer</u>
Golden West College	36	84	1
Sacramento Training Center	25	74	20
TOTAL	61 (25%)	158 (66%)	21 (9%)

Pass/Failure (Dropout)

	<u>Passed</u>	<u>Failed/ Dropout</u>
Golden West College	107	14
Sacramento Training Center	116	3
TOTAL	223 (93%)	17 (7%)

POST Prescribed
Training Courses

January 1, 1990

POST REQUALIFICATION COURSE
Course Outline

POST ADMINISTRATIVE MANUAL REFERENCE

Commission Regulation 1008
Commission Procedure D-11

LEGAL REFERENCE

Penal Code Section 13511(b).

COURSE DESCRIPTION

This course is designed to meet POST's requirements for persons qualifying or requalifying under Regulation 1008, the three-year rule. Attendees may include certificated and non-certificated California Basic Course trained officers. For these attendees, this course can be used in lieu of the Basic Course Waiver Process. The course may also be open to officers from out-of-state who wish to prepare for the BCW Process, although it does not cover all aspects of the written portion of the test. The content of the course includes portions of the Basic Course which are (1) most likely to rapidly change; (2) critical manipulative skills related to officer survival or civil liability in areas which persons are most likely to experience reduced proficiency; (3) updated instruction and diagnostic testing for report writing; and (4) other related critical subjects. Testing to determine student proficiency shall be conducted for each block of instruction either by skills testing, scenario testing or written examination, as appropriate to the specific subject matter. Presentation methodology shall include lectures, practical exercises, demonstrations, and role-playing scenarios.

CERTIFICATION INFORMATION

POST Technical Course, Reimbursement Plan IV (travel and per diem).
Reimbursement is provided for those trainees employed by an eligible law enforcement agency.

COURSE HOURS: 120

POST REQUALIFICATION COURSE

TOPICAL OUTLINE

Functional Area	Topics*	Hours
	Course Overview/Orientation	1
1.0	Professional Orientation (Ethics)	2
2.0	Police Community Relations Victimology/Hate Crimes	1
3.0	Law (Update of Law Changes for previous three years) (Annually Updated)	8
4.0	Laws of Evidence (Update of law changes for previous three years) (Annually updated)	4
5.0	Communications (Report writing update and diagnostic testing) <u>Proposition 115 Update</u> <u>Proposition 115 Update (Hearsay Testimony)</u>	10 1
6.0	Vehicle Operations (Driver Awareness Curriculum) (3 hours classroom, 5 hours practical)	8
7.0	Force and Weaponry (Firearms)	12
8.0	Patrol Procedures	48 <u>45</u>
	**First Aid and CPR	(12)
	**Domestic Violence	(8)
	**Missing Persons	(2)
	Patrol Hazards/Pedestrian Approach/ Vehicle Stops/Traffic Stops and Traffic Stop Field Problem/ <u>Carcinogenic Substances</u>	(8) (6) (1)
	Telecommunications	(4)
	Officer Safety/Crimes-in-Progress	(8) (6)
	Search Restraint Devices/Prisoner Transportation	(2)
	<u>Gang Awareness</u>	(2)
	** <u>Mentally Ill/Developmentally</u> <u>Disabled/Postpartum Psychosis</u>	(2)

TOPICAL OUTLINE

<u>Functional Area</u>	<u>Topics*</u>	<u>Hours</u>
9.0	Traffic (Legal Update)	2
10.0	Criminal Investigation	4 2
	Child Abuse/Sexual Exploitation	
	Sexual Assault Investigation	
	<u>Sudden Infant Death Syndrome Awareness</u>	2
12.0	Physical Fitness and Defensive Techniques	22
	Testing	4 2
Total		<u>120</u>

* All topics must be passed by the student. Testing to determine student proficiency will occur within each block of instruction. Testing shall address all areas of instruction and may incorporate skills assessment, scenario testing or written examinations, as appropriate to the subject matter.

** Statutorily required training which may be substituted for other, more recent training mandates from time to time.

EXPANDED OUTLINEAREA LEARNING GOALSREFERENCE

COURSE OVERVIEW

1.0 PROFESSIONAL ORIENTATION

Ethics	1.3.0
Unethical Behavior	1.4.0

2.0 POLICE COMMUNITY RELATIONS

Victimology	2.6.0
Hate Crimes	2.7.0

3.0 LAW (Update)

Introduction to Law	3.1.0
Crime Elements	3.2.0
Intent	3.3.0
Parties to a Crime	3.4.0
Defenses	3.5.0
Attempt/Conspiracy/Solicitation	3.7.0
Obstruction of Justice	3.8.0
Theft Law	3.9.0
Extortion Law	3.10.0
Embezzlement Law	3.11.0
Forgery/Fraud Law	3.12.0
Burglary Law	3.13.0
Receiving Stolen Property Law	3.14.0
Malicious Mischief Law	3.15.0
Arson Law	3.16.0
Assault/Battery Law	3.17.0
Assault With Deadly Weapon Law	3.18.0
Mayhem Law	3.19.0
Felonious Assault Law	3.20.0
Crimes Against Children Law	3.21.0
Public Nuisance Law	3.22.0
Crimes Against Public Peace Law	3.23.0
Deadly Weapons Law	3.24.0
Robbery Law	3.25.0
Kidnapping/False Imprisonment Law	3.26.0
Homicide Law	3.27.0
Sex Crimes Law	3.28.0
Rape Law	3.29.0
Gaming Law	3.30.0
Controlled Substances Law	3.31.0
Non-Narcotic Drug Law	3.32.0
Narcotics Law	3.33.0
Marijuana Law	3.34.0

AREA LEARNING GOALSREFERENCE

Poisonous Substance Law	3.35.0
Alcoholic Beverage Control Law	3.36.0
Constitutional Rights Law	3.37.0
Laws of Arrest	3.38.0
Juvenile Alcohol Law	3.40.0
Juvenile Law and Procedures	3.41.0
4.0 LAWS OF EVIDENCE (Update)	
Concepts of Evidence	4.1.0
Privileged Communications	4.2.0
Subpoena	4.4.0
Burden of Proof	4.5.0
Rules of Evidence (<u>Including Proposition 115</u>)	4.6.0
Search Concepts	4.7.0
Seizure Concepts	4.8.0
Line-Up and Show-ups	4.9.0
5.0 COMMUNICATIONS	
Report Writing Mechanics	5.4.0
Report Writing Application	5.5.0
<u>Hearsay Testimony (Proposition 115)</u>	<u>5.3.1</u>
6.0 VEHICLE OPERATIONS (Driver Awareness Curriculum)	
7.0 FORCE AND WEAPONRY	
Effects of Force	7.1.0
Reasonable Force	7.2.0
Deadly Force	7.3.0
Simulated Use of Force	7.4.0
Firearms Safety	7.5.0
Handgun Familiarization	7.6.0
Shotgun	7.8.0
Handgun Shooting Principles	7.10.0
Shotgun Shooting Principles	7.11.0
Handgun/Day/Range	7.13.0
Handgun/Night/Range	7.14.0
Handgun/Combat/Day/Range (Target)	7.15.0
Handgun/Combat/Night/Range (Target)	7.16.0
Shotgun/Combat/Day/Range	7.17.0
Shotgun/Combat/Night/Range	7.18.0
8.0 PATROL PROCEDURES	
Patrol "Hazards"	8.6.0
Pedestrian Approach	8.7.0
Interrogation	8.8.0

AREA LEARNING GOALSREFERENCE

Vehicle Pullover Techniques	8.9.0
Unconventional Vehicle Stops	8.10.0
Felony/High Risk Pullover Field Problem	8.11.0
Telecommunications	8.13.0
Person Search Techniques	8.14.0
Vehicle Search Techniques	8.15.0
Building Area Search	8.16.0
Missing Persons	8.17.0
Search/Control Simulation	8.18.0
Restraint Devices	8.19.0
Prisoner Transportation	8.20.0
Tactical Considerations/Crimes-in-Progress	8.21.0
Burglary-in-Progress Calls	8.22.0
Robbery-in-Progress Calls	8.23.0
Prowler Calls	8.24.0
Crimes-In-Progress/Field Problems	8.25.0
<u>Death Scene Investigation/SIDS</u>	<u>8.33.0</u>
<u>Mentally Ill/Developmentally Disabled</u>	<u>8.36.0</u>
First Aid and CPR	8.45.0
<u>Hazardous Occurrences (Carcinogenic Substances)</u>	<u>8.39.0</u>
Domestic Violence	8.47.0
<u>Gang Awareness</u>	<u>8.50.0</u>

9.0 TRAFFIC (Legal Update)

Vehicle Registration and Driver Licensing Law	9.3.0
Vehicle Code Violations	9.4.0
Alcohol Violations	9.5.0
Auto Theft Investigation	9.6.0

10.0 CRIMINAL INVESTIGATION

Identification, Collection, and Preservation of Evidence (Child Abuse Cases)	10.6.0
Interviewing (Child Abuse Cases)	10.8.0
Sexual Assault Investigation	10.16.0
Child Neglect, Sexual Abuse and Exploitation Investigation	10.22.0
<u>Sudden Infant Death Syndrome Awareness</u>	<u>10.23.0</u>

12.0 PHYSICAL FITNESS AND DEFENSE TECHNIQUES

Principles of Weaponless Defense	12.6.0
Armed Suspect/Weaponless Defense/ Weapons Retention	12.7.0
Baton Techniques	12.8.0
Baton Demonstration	12.22.0

Memorandum

: Commissioners

Date : January 14, 1991

Norman C. Boehm, Executive Director

From : **Commission on Peace Officer Standards and Training**

Subject: Commission Agenda Item

As described in the agenda summary, the attached report concerning a new peace officer classification was necessarily a late item.

Please insert the report under tab J.

Attachment

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Local Correctional Officer; Peace Officer Feasibility Study		Meeting Date January 17, 1991	
Bureau Management Counseling	Reviewed By		Researched By <i>MDi</i> Mike DiMiceli
Executive Director Approval <i>Morgan C. Boehm</i>	Date of Approval 1-11-91		Date of Report January 8, 1991
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No	

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

What are the appropriate powers and authority of local correctional peace officers, as described in Section 830.55, Penal Code?

BACKGROUND OF THE STUDY

Assembly Bill 3401 (Waters) was chaptered as an emergency statute and became effective in September 1990. The law added Section 830.55, Penal Code, to create a new peace officer category, Local Correctional Officer. Section 830.55 PC contains a sunset clause which limits the effective period of the law to January 1, 1992, unless a later enacted statute extends or deletes that date.

The law also contains a requirement that the Commission study this new peace officer category to determine "the appropriate powers and authority" and report to the Legislature no later than March 15, 1991. The requirement for a Commission study was included in the law because the Commission has responsibility to report on all proposals for new peace officer classifications, as described in Section 13540-42, Penal Code.

Sections 2910 and 2910.5, Penal Code, permit the California Department of Corrections to contract with a city, county, or city and county to operate a Return to Custody (RTC) facility. A county operated RTC shall be administered by the sheriff. A city operated facility shall be administered by the chief of police or a superintendent who shall have at least five years similar experience.

A Return to Custody facility is designed specifically to incarcerate parole violators and state prison inmates. Section 2910.5 (b), amended in 1990 by AB 3401, requires a RTC to be staffed with peace officers who are defined in 830.1 PC or 830.55 PC.

SCOPE OF THE STUDY

Section 830.55 PC, defines a local correctional peace officer; describes the powers and authority of this category of peace officer; and, describes the training required for such officers. A correctional peace officer described in this section is authorized to work only in a locally operated Return to Custody facility.

Accordingly, the scope of this study is limited to issues that focus specifically on the Return to Custody facility and the appropriate powers and authority of local correctional peace officers who work in these facilities. The study specifically does not consider issues related to local jails or detention facilities, nor the management and staffing practices within local jails or other detention facilities.

AB 3401, including the amendment to Section 2910.5 PC and the new Section 830.55 PC, is presented as Attachment A.

METHODOLOGY OF THE STUDY

Seven cities and counties now operate, or plan to operate, a RTC facility under contract to the Department of Corrections, as authorized by Sections 2910 and 2910.5, Penal Code. These facilities are located in:

- o Folsom - 380 beds, approximately 70 staff. Opened in November, 1990; administered by a superintendent.
- o Shafter - 380 beds, approximately 70 staff. Opened in December, 1990; administered by the chief of police.
- o Coalinga - 380 beds, exclusively female inmates, approximately 70 staff. Opened in January, 1991; administered by a superintendent.
- o Delano - 380 beds; scheduled to open approximately February, 1991.
- o Adelanto - 380 beds; scheduled to open approximately March, 1991.
- o Taft - 426 beds; scheduled to open approximately February, 1991.
- o Lassen - 128 beds; scheduled to open approximately June, 1991.

Staff have visited Folsom and will, during January, visit the Shafter facility. In addition, staff interviewed managers from the facilities, and staff of the Department of Corrections and the Board of Corrections. Contracts, rules, procedures and orders from the Department of Corrections and the two operating facilities have been reviewed. Training curricula from these two institutions, which satisfy the training requirements of Section 830.55 PC, and other relevant documents were reviewed.

ANALYSIS AND FINDINGS

Analysis

Correctional peace officers in a RTC facility are responsible for the custody and safety of felony parole violators and state prison inmates in the facility. This responsibility extends to inmate work crews which operate in a community, outside the facility, under the supervision of correctional officers.

The tasks and responsibilities of RTC correctional officers, as specified by law, contract, rules, and procedures include:

- o reception and processing of inmates at the facility;
- o prevention, detection, and investigation of criminal and other prohibited action by the inmates;
- o prevention and detection of the possession of drugs and other contraband by the inmates;
- o make felony and misdemeanor arrests within the facility;
- o guard and transport inmates; and,
- o prevent and suppress riots, lynching, escape, and rescue in or about the facility.

We note that within the first month of operation, a fight occurred within the Folsom facility involving approximately 20 inmates.

The powers and authority granted to local correctional peace officers in Section 830.55 PC are:

- o Authority is limited to duty hours (830.55(d) PC);
- o May only carry or possess firearms in the performance of duty, at the direction of the superintendent, while transporting prisoners, guarding prisoners, or suppressing riots, lynching, escape, or rescue in or about the facility (830.55(b) PC);

- o May use reasonable force to establish and maintain custody of prisoners delivered to the officer (830.55(e) PC);
- o May serve felony and misdemeanor warrants, within the facility (830.55(e) PC); and,
- o May make misdemeanor arrests without a warrant pursuant to Section 836.5 PC, only during the duration of the job (830.55(e) PC).

Section 836.5 PC does not confer arrest authority on peace officers. The authority provided in this section applies only to public officers or employees, not peace officers. Arrest authority for peace officers is conferred in Section 836 PC. Further, the authority to make arrests without a warrant, based on reasonable cause, is limited to misdemeanors committed in the officer's presence.

The arrest authority conferred by Section 836.5 PC is in conflict with the correctional peace officer designation defined in Section 830.55 PC. Further, the limited authority conferred by Section 836.5 PC prohibits a correctional peace officer from making a felony arrest within the facility without a warrant.

Penal Code Sections 836 and 836.5 are presented as Attachment B.

Findings

After analysis of the duties and responsibilities of local correctional peace officers, and the statutory powers and authority, staff conclude:

1. Existing law (Section 2910.5(b) PC) requires peace officers for the operation of a locally-operated Return to Custody facility;
2. Section 830.55 PC creates a new peace officer category, correctional peace officer, to work specifically and exclusively in Return to Custody facilities; and,
3. The arrest authority of correctional peace officers is not appropriate and should be expanded to provide broader arrest authority during duty hours.

Section 836.5 PC prohibits a correctional peace officer from making a felony arrest without a warrant. The section also creates a conflict generally with the peace officer designation and authority specified in Section 830.55 PC.

The lack of authority to make a felony arrest without a warrant appears to create a significant limitation on the ability of the correctional peace officers to perform their specified duties and responsibilities. The arrest authority usually conferred on peace officers is specified in Section 836 PC. This section provides the arrest authority necessary for correctional peace officers.

4. All of the other powers and authority, as specified in Section 830.55 (a),(b),(d),(e) PC are appropriate and sufficient to enable correctional peace officers to perform the necessary and required tasks within a RTC facility.

Staff recommends an amendment to Section 830.55(e) PC to specify the authority for correctional peace officers to make felony and misdemeanor arrests within the facility, with or without a warrant, pursuant to Section 836 PC.

RECOMMENDATION

If the Commission concurs, a MOTION to approve the report and recommendation, and direct the Executive Director to submit the complete study report to the Legislature, no later than March 15, 1991.

SEC. 2. Section 830.55 is added to the Penal Code, to read:

830.55. (a) As used in this section, a correctional officer is a peace officer, employed by a city which operates a facility described in Section 2910.5 or Section 1753.3 of the Welfare and Institutions Code or facilities operated by counties pursuant to Section 6241 or 6242 of the Penal Code under contract with the Department of Corrections or the Department of the Youth Authority, who has the authority and responsibility for maintaining custody of prisoners or wards, and performs tasks related to the operation of a detention facility used for the detention of persons who have violated parole or are awaiting parole back into the community or, upon court order, either for their own safekeeping or for the specific purpose of serving a sentence therein.

(b) A correctional officer shall have no right to carry or possess firearms in the performance of his or her prescribed duties, except, under the direction of the superintendent of the facility, while engaged in transporting prisoners, guarding hospitalized prisoners, or suppressing riots, lynchings, escapes, or rescues in or about a detention facility established pursuant to Section 2910.5 or Section 1753.3 of the Welfare and Institutions Code.

(c) Each person described in this section as a correctional officer shall, within 90 days following the date of the initial assignment to that position, satisfactorily complete the training course specified in Section 832. In addition, each person designated as a correctional officer shall, within 180 days following the date of the initial assignment as an officer, satisfactorily complete the jail operations course prescribed by the Board of Corrections pursuant to Section 6030. Persons designated correctional officers, before the expiration of the 90- and 180-day periods described in this subdivision, who have not yet completed the required training, shall not carry or possess firearms in the performance of their prescribed duties.

(d) This section shall not be construed to confer any authority upon a correctional officer except while on duty.

(e) A correctional officer may use reasonable force in establishing and maintaining custody of persons delivered to him or her by a law enforcement officer, may make arrests for misdemeanors and felonies within the local detention facility pursuant to a duly issued warrant, and may make warrantless arrests pursuant to Section 836.5 only during the duration of his or her job.

(f) This section shall remain in effect only until January 1, 1992, and as of that date is repealed, unless a later enacted statute, which is enacted on or before January 1, 1992, deletes or extends that date.

SEC. 3. Section 2910.5 of the Penal Code is amended to read:
 2910.5. (a) Pursuant to Section 2910, the Director of Corrections may enter into a long-term agreement not to exceed 20 years with a city, county, or city and county to place parole violators in a facility which is specially designed and built for the incarceration of parole violators and state prison inmates.

(b) The agreement shall provide that persons providing security at the facilities shall be peace officers as defined in Sections 830.1 and 830.55 who have completed the minimum standards for the training of local correctional peace officers established under Section 6035.

(c) A parole violator or other inmate may be confined in a facility established under this section.

(1) If convicted of a violent felony, as defined in subdivision (c) of Section 667.5, or convicted of a crime, as defined in Sections 207, 210.5, 214, 217.1, or 220, or if that person has a history of escape or attempted escape, the Department of Corrections shall, prior to placing the parole violator or inmate in the facility, review each individual case to make certain that this placement is in keeping with the need to protect society.

(2) No inmate or parole violator who has received a sentence of life imprisonment within the past 20 years shall be eligible.

(3) The superintendent of the parole violator facility shall also review each individual case where the inmate or parolee is convicted of a crime specified in this subdivision and ascertain whether this is an appropriate placement. The superintendent shall reject those whom he or she believes are inappropriate due to their propensity for violence or escape.

(4) No parole violator who receives a revocation sentence greater than 12 months shall be confined in a facility established under this section.

(5) The Department of Corrections shall establish additional guidelines as to inmates eligible for the facilities.

(d) In determining the reimbursement rate pursuant to an agreement entered into pursuant to subdivision (a), the director shall take into consideration the costs incurred by the city, county, or city and county for services and facilities provided, and any other factors which are necessary and appropriate to fix the obligations, responsibilities, and rights of the respective parties.

(e) Facilities operated by the county shall be under the supervision of the sheriff. Facilities operated by the city shall be under the supervision of a chief of police or a facility superintendent who shall have at least five years similar experience.

(f) Cities or counties contracting with the Department of Corrections for a facility pursuant to this section shall be responsible for managing and maintaining the security of the facility. No city or county may contract with any private provider to manage, operate, or to maintain the security of the facility.

SEC. 4. The Commission on Peace Officers Standards and Training shall conduct a study and determine the appropriate powers and authority of local correctional peace officers, as described in Section 830.55 of the Penal Code. A report based upon this study shall be submitted to the Legislature on or before March 15, 1991.

SEC. 5. Section 2 of this bill shall only become operative if Senate Bill 2000 is enacted and becomes effective on or before January 1, 1991, and Senate Bill 2000 adds Sections 6241 and 6242 to the Penal Code, in which case Section 1 of this bill shall not become operative.

SEC. 6. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

Because the facilities designated in this bill will be operational prior to January 1, 1991, it is necessary that this act take immediate effect.

PENAL CODE

§ 836. Peace officers; arrest under warrant; grounds for arrest without warrant

A peace officer may make an arrest in obedience to a warrant, or may, pursuant to the authority granted him by the provisions of Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, without a warrant, arrest a person:

1. Whenever he has reasonable cause to believe that the person to be arrested has committed a public offense in his presence.
2. When a person arrested has committed a felony, although not in his presence.
3. Whenever he has reasonable cause to believe that the person to be arrested has committed a felony, whether or not a felony has in fact been committed. (*Enacted 1872. Amended by Stats.1957, c. 2147, § 2; Stats.1968, c. 1222, § 59.*)

§ 836.5. Public officers and employees; arrest without warrant; grounds; civil liability; notice to appear; officers and employees of local agencies

(a) A public officer or employee, when authorized by ordinance, may arrest a person without a warrant whenever he has reasonable cause to believe that the person to be arrested has committed a misdemeanor in his presence which is a violation of a statute or ordinance which the officer or employee has the duty to enforce.

(b) There shall be no civil liability on the part of, and no cause of action shall arise against, any public officer or employee acting pursuant to subdivision (a) and within the scope of his authority for false arrest or false imprisonment arising out of any arrest which is lawful or

which the public officer or employee, at the time of the arrest, had reasonable cause to believe was lawful. No such officer or employee shall be deemed an aggressor or lose his right to self-defense by the use of reasonable force to effect the arrest, prevent escape, or overcome resistance.

(c) In any case in which a person is arrested pursuant to subdivision (a) and the person arrested does not demand to be taken before a magistrate, the public officer or employee making the arrest shall prepare a written notice to appear and release the person on his promise to appear, as prescribed by Chapter 5C (commencing with Section 853.6). The provisions of that chapter shall thereafter apply with reference to any proceeding based upon the issuance of a written notice to appear pursuant to this authority.

(d) The governing body of a local agency, by ordinance, may authorize its officers and employees who have the duty to enforce a statute or ordinance to arrest persons for violations of such statute or ordinance as provided in subdivision (a).

(e) For the purpose of this section, "ordinance" includes an order, rule, or regulation of any air pollution control district.

(f) For purposes of this section, a "public officer or employee" includes an officer or employee of a nonprofit transit corporation wholly owned by a local agency and formed to carry out the purposes of the local agency. (*Added by Stats.1969, c. 1205, § 3. Amended by Stats.1970, c. 114, § 1; Stats.1982, c. 1235, § 1.*)

Memorandum

Long Range Planning Committee

Date January 3, 1991

Norm
NORMAN C. BOEHM
Executive Director

From : Commission on Peace Officer Standards and Training

Subject: ACR 58 STUDY IMPLEMENTATION

The ACR 58 Study has been completed and the report is being prepared for distribution. Copies will be distributed to the required Chairpersons in the Legislature prior to January 15, 1991. Copies will then be distributed to all other legislators, all California law enforcement agencies, all POST certified course presenters, and others as appropriate. A video tape is also being completed to use in briefing legislators, trainers, and law enforcement managers and administrators.

The first step in the implementation of the ACR 58 Study is the introduction of the recommended bill in the Legislature. This is necessary to lay the foundation for future financial support.

Upon passage of the bill, POST will begin work on the statewide facilities assessment and funding plan. This study will include the need for skill development centers and funding projections and alternatives. The study should begin no later than July 1, 1991, assuming the bill has an emergency clause.

Also upon passage of the bill, steps will be taken to gain the necessary approval from the State to hire additional staff to create the Learning Technology Laboratory at POST. This is the unit that will be involved in advanced technology research, planning, support, and implementation.

Some of the ACR 58 technology applications and suggested programs have already been undertaken at POST, such as Interactive Video Disc courseware development and satellite delivery of training (distance learning).

- Interactive Video Disc/Computer Based Training

The Commission has already begun work in this area. The pioneering effort was the development of the PC 832 course. This course has been successful in reducing training hours where it has been used. Work on an IVD program for driver

successful in reducing training hours where it has been used. Work on an IVD program for driver training is ahead of schedule with delivery expected before the end of 1991. An RFP for first aid/CPR courseware will be issued during January and returned to the Commission for award in April.

Interactive Video courseware requires appropriate equipment be available so that trainees can access it individually without an instructor, or in small groups with an instructor. This requires both the hardware and an enthusiasm in using it. A number of certified P.C. 832 presenters have acquired the hardware, but more needs to be acquired both by trainers and departments.

While the P.C. 832 course meets level III reserve training requirements, the real IVD incentive for law enforcement agencies should come when the driver training and first aid/CPR courseware is available. Another project which may be of great benefit to law enforcement is a report writing tutorial. This is still a critical training topic, could lend itself well to the IVD/CBT media.

Beyond these projects, the near term IVD priorities lie in standardizing hardware requirements. POST must work to assure a high degree of confidence that when trainers and departments invest, their equipment will run both IVD and enhanced computer based training (CBT) courseware equally well - now and for some considerable time in the future.

At some point, especially as the Learning Technology Laboratory is established, POST will be in a position to begin working with law enforcement trainers on learning to develop its own IVD and CBT training programs. The media lends itself to teaching discrete concepts as modules, and is certainly not restricted to whole courses. These production skills can be learned and POST has opportunity to help teach them.

● Satellite Distance Learning

POST began distance learning pilot programs in 1988. Currently, POST uses the satellite to distribute training videos and has conducted training via satellite. Most recently, the Prop 115 Hearsay training and the CPOA legal update training were presented via satellite.

The future of distance learning promises a new generation of convenience and effectiveness for law enforcement. POST is exploring a number of issues including:

- The use of satellite broadcast for live interactive training, and use of the same vehicle for dissemination of programs to be taped and used later.
- The need for subject matter, instructional design, and instructional technology experts in distance learning development, presentation, and evaluation.
- Possible POST reimbursement for distance learning trainees at a level which would help agencies recover the cost of their distance learning arrangements (e.g. satellite dish). This would help assure each California department would have free access to all POST telecourses.
- Training support in the form of workbooks, quizzes, etc., which would be distributed to departments through their coordinators prior to training being presented.
- Under the proper circumstances, distance learning would be POST certified training and, when so designated, apply toward partial fulfillment of the Commission's Continuing Professional Training (CPT) requirements.
- Electronic updating training records for those who successfully complete a distance learning course.
- Interactivity features either through an 800# telephone network or through remote student response modules described in the ACR 58 report, to assure the trainee opportunity to be quizzed, ask questions, and be responded to.

A number of uses of the distance learning system have been talked about or easily come to mind. For example, roll call training programs could be developed and broadcast each week. These broadcasts could be sent directly to the departments with receive capability.

Legislatively mandated courses can continue to be sent out over the distance learning system. We have found that the discipline involved in developing a distance learning course actually compresses the time required to present it. By receiving training in their own facilities, not only could departments save the time

otherwise needed to send officers off-site, but the time of actual presentation would likely be less as well.

In the future, court decisions could be prepared in a distance learning format and sent out very promptly. This would be of great benefit to officers who now experience a lag of sometimes months before the information gets to them.

Not every broadcast needs to be designed to reach every officer. Indeed, some of the advantages of distance learning are in preparing telecourse instruction in specialty areas as investigation, DNA, SWAT, Traffic investigation, gangs, burglary, etc. While some of this instruction would require in-person classroom settings, substantial amounts can be telecoursed with great savings in travel time, and travel expenses.

There are a number of sources which can be drawn on to help produce a wide variety of telecourse topics. The reasoning of the ACR 58 study held that there should be relatively more investment in planning of training up front. The return on investment is the time saved in the presentation.

POST is looking forward to working with traditional presenters to adapt certain courses to distance learning. There appears to be ample opportunity in distance learning to organize resources for reaching more officers with more conveniently.

There are a number of other opportunities which may become possible using a distance learning system. These could include using the system to network experts in various departments in a training/information exchanging setting. Presentations on management and leadership topics and issues could adapt well to this approach.

Coordination with Office of Emergency Services both in emergency and mutual aid situations is a possibility being looked at. OES is seeking funding for satellite time, which could conceivably be used by POST in non-emergency periods.

Other key areas will be further assessed and work started as circumstances permit. These areas are:

ADVANCED TECHNOLOGY CLASSROOM

An Advanced Technology Classroom (ATC) design developed by IBM can be used initially. IBM and Sony expressed interest in working with POST to develop these "electronic

classrooms". Several agencies in both Northern and Southern California that are interested in working with POST to build or adapt, equip, and evaluate such classrooms. The exact arrangements, costs, designs, etc. will need to be worked out, but prospects appear bright that several ATCs can be developed as a demonstration project in the near future.

Advanced broadcast/receiving classrooms are similar to the ACT in technology, but with the added dimension of distance learning to specifically designed and equipped off-site classrooms. These classrooms can be utilized within a single training complex (as from one room to the next), or as part of a larger broadcast network (to substation, regions, or statewide). The experience gained in development of the ATC will be utilized in the future to develop these facilities.

LEARNING TECHNOLOGY LABORATORY

The Learning Technology Laboratory (LTL) is the proposed group at POST that will be totally enmeshed in advanced technology research and development. This unit will be staffed by additional personnel, including people with specific skills in instructional design, instructional technology and systems analysis that are currently not available. The LTL will serve as a standing resource to all agencies and presenters. It will be a catalyst to implement the vision of the ACR 58 report. This unit must be put together as soon as possible. This will require funding and appropriate approvals for the State control agencies. This is high priority, as it is the foundation research group to address many of the technology issues and programs identified here and in the ACR 58 Report.

SKILL DEVELOPMENT NEEDS STUDY

This is the "Phase 2" or additional study referred to in the ACR 58 Report, to determine exactly what skill development facilities are needed statewide, determine how many and where they should be located, and determine the potential cost and funding sources. This will be a major undertaking and should await passage of the legislation to be introduced as a result of the ACR 58 Study.

As we move into the next few years, more applications and programs will need to be developed, along with a number of prototype and demonstration projects suggested or recommended in the study. Inputs will be sought from the field and analysis completed to assure that what advanced technology applications are proposed are rooted in the needs of POST's client agencies and is technologically economically, and operationally sound. Even though the ACR 58 Study report is complete, there is considerable analysis which needs to be done regarding various operational alternatives and program costs.

Results of the implementation studies and specific program proposals will be brought before the Commission for decisions.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Management Course Contracts Fiscal Year 1991/92		Meeting Date January 17, 1991
Bureau Center for Leadership Development	Reviewed By <i>Doug Thomas</i>	Researched By Beverley Short
Executive Director Approval <i>Mouman C. Boelun</i>	Date of Approval 12-14-90	Date of Report December 4, 1990
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

Issue

Commission review and approval of Management Course contracts as proposed for Fiscal Year 1991/92 are required to authorize the Executive Director to negotiate contracts with presenters.

Background

These courses are currently budgeted at \$326,274.90 for twenty-two (22) presentations by five (5) presenters:

California State University - Humboldt
 California State University - Long Beach
 California State University - Northridge
 California State University - San Jose
 San Diego Regional Training Center - San Diego

No other educational institutions have expressed interest in presenting the Management Course. In addition, there are two (2) certified Management Course presenters who offer training to their own personnel at no cost to the POST fund:

California Highway Patrol
 State Department of Parks and Recreation

Analysis

Course costs are consistent with POST tuition guidelines. Required learning goals are being satisfactorily presented by each contractor.

It is estimated that twenty-two (22) presentations will again be required in FY 1991/92. Staff anticipates some increases over FY 1990/91 due to increased costs for instructors, coordination, facilities, and materials, although no additional presentations are expected.

Recommendation

Authorize the Executive Director to negotiate new contracts to be returned to the Commission at the April 1991 meeting.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Executive Development Course		January 17, 1991
Bureau	Reviewed By	Researched By
Center for Leadership Development	<i>Doug Thomas</i>	Beverley Short
Executive Director Approval	Date of Approval	Date of Report
<i>Merran C. Boehm</i>	12-20-90	December 4, 1990
Purpose:		Financial Impact:
<input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Commission review and approval of the Executive Development Course contract as proposed for Fiscal Year 1991/92 are required to authorize the Executive Director to negotiate a contract with the presenter.

BACKGROUND

The Executive Development Course has been certified to the California State Polytechnic University, Pomona since October 1979. The course has provided training for 100 trainees in five presentations a year. In 1989/90, after one presentation, staff was assigned to study and review the course.

At the November 1990 meeting, the Commission approved a revised Executive Development Course to be presented as a pilot in January 1991, plus two additional presentations in the 1990/91 FY. The revised course changed from an 80-hour block to three separate workshops of 4, 3, and 3 days. The cost of these three presentations, including development costs, was \$97,490.

Commission Regulation 1005(e) provides that every regular officer who is appointed to an executive position may attend the Executive Development Course, and the jurisdiction may be reimbursed provided the officer has satisfactorily completed the training requirements of the Management Course.

ANALYSIS

The 1989-90 contract was for five presentations at a total cost of \$78,925, \$15,785 per presentation.

It is anticipated the revised curriculum and format will make this course one of high demand with law enforcement executives and their next-in-command officers. Five presentations will be needed in FY 1991/92 at an estimated cost of \$23,736 per presentation. All anticipated costs will be in accordance with the tuition guidelines.

RECOMMENDATIONS

Authorize the Executive Director to negotiate a new contract to be returned for Commission approval at the April 1991 meeting.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract for Command College and Executive Training		Meeting Date January 17, 1991
Bureau Center for Leadership Development	Reviewed By <i>Doug Thomas</i>	Researched By Beverley Short
Executive Director Approval <i>Morgan C. Boehm</i>	Date of Approval 12-14-90	Date of Report December 4, 1990
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

Issue

Commission review and approval of the Command College Executive Training contract for fiscal year 1991/92 are required to authorize the Executive Director to negotiate with the presenter.

Background

Since the inception of the Command College in 1984, the Commission has approved a contract with San Diego Regional Training Center to provide the services of faculty, facilitation, coordinators, facilities, materials, course development, and related activities for the Command College and seminars for chiefs, sheriffs, and senior law enforcement managers.

The first class of the Command College graduated January 31, 1986. Two classes commence annually. During the 1991/92 Fiscal Year, 22 Command College workshops will be presented for Classes 12, 13, 14, 15, 16, 17 and 18.

Executive training has been designed to meet the stated needs of chiefs, sheriffs, and senior managers. In 1991/92, CLD staff will develop, coordinate, and present 25 executive seminars.

Current contract costs for FY 1990/91 are \$395,046.

Analysis

To support the activities of the Command College and Executive Training, funds will be required for two Assessment Centers, several Command College planning and project committee meetings, continuing Command College and executive seminar course developments, and management course redesign.

Recommendation

Authorize the Executive Director to negotiate a new contract to be returned for Commission approval at the April 1991 meeting.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: Supervisory Leadership Contract Fiscal Year 1991/92		Meeting Date January 17, 1991
Bureau Center for Leadership Development	Reviewed By <i>Dorey Thomas</i>	Researched By Beverley Short
Executive Director Approval <i>Marwan C. Bekun</i>	Date of Approval 12-14-90	Date of Report December 4, 1990
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

Issue

Commission review and approval of the Supervisory Leadership Contract as proposed for Fiscal year 1991/92 are required to authorize the Executive Director to negotiate a contract with CSU Long Beach.

Background

The Commission approved three classes of the Supervisory Leadership Institute (SLI) for Fiscal Year 1988/89 and four classes commenced during FY 1989-90. Six classes will run continuously during the 1990-91 FY. The Commission approved a contract with CSU Long Beach to assist in the development and administration of the program.

Analysis

The 1990/91 contract costs of \$287,572 are consistent with similar management and executive training programs administered by POST. Plans are to start six classes FY 91/92. This will require the continuing search for and development of a total of 12 instructors to meet the need of team instruction and courses being presented simultaneously. It is anticipated there will be minor increased costs for administrative services for FY 1991/92.

Recommendation

Authorize the Executive Director to negotiate a new contract to be returned for Commission approval at the April, 1991 meeting.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract for Administration of POST Proficiency Examination		Meeting Date January 17, 1991
Standards & Evaluation	Reviewed By <i>John G. Benner</i>	Researched By Diane Hrepich
Executive Director Approval <i>Morgan C. Bodner</i>	Date of Approval 12-14-90	Date of Report December 13, 1990
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Continuation of the POST contract with Cooperative Personnel Services (CPS) to administer the POST Proficiency Examination.

BACKGROUND

Penal Code Section 832(b) requires POST to develop and administer a basic training proficiency test to all academy graduates. POST has contracted with Cooperative Personnel Services (CPS) for the administration of the examination each of the last eight years.

ANALYSIS

CPS has done an acceptable job of administering the POST Basic Course Proficiency Examination. Moreover, CPS can administer the examination for less than it would cost if POST staff were to assume this function.

The amount of the fiscal year 1990/91 contract is \$31,266. The proposed contract for fiscal year 1991/92 is not expected to exceed \$34,000, and assumes an increase of 120 Basic Course graduates over fiscal year 1991/92, and labor and shipping cost increases of approximately 7%.

RECOMMENDATION

Authorize the Executive Director to negotiate a contract with CPS for administration of the POST Proficiency Examination during fiscal year 1991/92 for an amount not to exceed \$34,000.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract for Administration of POST Entry-Level Reading and Writing Test Battery		Meeting Date January 17, 1991
Bureau Standards & Evaluation	Reviewed By	Researched By John Berner
Executive Director Approval <i>Norman C. Boehm</i>	Date of Approval 12-14-90	Date of Report December 13, 1990
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Continuation of the POST contract with Cooperative Personnel Services (CPS) to administer the POST entry-level reading and writing test battery.

BACKGROUND

For the past several years, the Commission has authorized that the POST entry-level test battery be made available to agencies in the POST program at no cost. During this period, all test administration services associated with the testing program have been provided under contracts with CPS. The 1990/91 fiscal year contract amount is \$92,006.

ANALYSIS

All contract services provided by CPS have been acceptable, and POST lacks the staff to perform these services.

The proposed contract for fiscal year 1991/92 is not expected to exceed \$98,500. The increase is due to anticipated labor and shipping cost increases of approximately 7%.

RECOMMENDATION

Authorize the Executive Director to negotiate a contract with CPS for administration of the POST test battery during fiscal year 1991/92 for an amount not to exceed \$98,500.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract for Administration of POST PC 832 Written Exam		Meeting Date January 17, 1991
Bureau Standards & Evaluation	Reviewed By <i>[Signature]</i>	Researched By Ken Krueger
Executive Director Approval <i>[Signature: Norman C. Boehm]</i>	Date of Approval 12-17-90	Date of Report December 14, 1990
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Continuation of POST contract with Cooperative Personnel Services (CPS) to administer the POST PC 382 written examination.

BACKGROUND

Penal Code section 832(a), which went into effect July 1, 1989, requires that persons must pass a POST-developed or POST-approved examination to successfully complete the PC 832 course. POST has contracted with CPS to administer the PC 832 written examination each of the last two years.

ANALYSIS

CPS has done an acceptable job of administering the examination. The amount of the 1990/91 fiscal year contract is \$71,500. The proposed contract for fiscal year 1991/92 is not expected to exceed \$81,500. The increase reflects an anticipated 7% rise in labor and shipping costs, and includes a \$5,000 line item for the pilot administration of new test questions that will be needed to evaluate student mastery of curricula proposed for addition to the course in fiscal year 1992/93.

RECOMMENDATIONS

Authorize the Executive Director to negotiate a contract with CPS for administration of the POST PC 832 written exam during fiscal year 1991/92 for an amount not to exceed \$81,500.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title 1991-92 Interagency Agreement for Auditing Services - State Controller's Office		Meeting Date January 17, 1991
Bureau Administrative Services Bureau	Reviewed By Otto H. Saltenberger	Researched By Staff
Executive Director Approval <i>Norman C. Boehm</i>	Date of Approval 12-18-90	Date of Report November 21, 1990
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Continuation of the Commission on Peace Officer Standards and Training agreement with the State Controller's Office to provide auditing services.

BACKGROUND

Each year for the past several years, the Commission on Peace Officer Standards and Training has negotiated an Interagency Agreement with the State Controller's Office to conduct necessary audits of selected local jurisdictions which receive POST reimbursement funds.

ANALYSIS

The State Controller's Office continues to do an acceptable job in conducting the audits of several selected jurisdictions yearly to assure that reimbursement funds are being appropriately expended.

The Commission approved an agreement not to exceed \$85,000 for the current fiscal year. Approval is requested to negotiate a similar agreement for Fiscal Year 1991-91 for an amount to maintain current level of service.

RECOMMENDATION

Authorize the Executive Director to negotiate an Interagency Agreement with the Controller's Office for services during Fiscal Year 1991-92.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Health and Welfare Data Center - CALSTARS Support		Meeting Date January 17, 1991
Bureau Administrative Services Bureau	Reviewed By Otto H. Saltenberger	Researched By Staff
Executive Director Approval <i>Norman C. Boden</i>	Date of Approval 12-18-90	Date of Report November 21, 1990
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Continuation of the Commission on Peace Officer Standards and Training agreement with Health and Welfare Agency Data Center for computer linkage in support of the State Accounting System (CALSTARS).

BACKGROUND

The mandated California Accounting and Reporting System (CALSTARS) implemented in July 1986, requires that POST enter into a yearly contract with the Health and Welfare Data Center to provide data processing services during the year. The Commission approved an agreement not to exceed \$25,000 for current Fiscal Year 1990-91.

ANALYSIS

Without the continuation of an agreement with the Health and Welfare Data Center, POST will not be able to perform necessary state accounting functions and will be out of compliance with accounting requirements. Approval is requested to negotiate a similar agreement for Fiscal Year 1991-92 for an amount to maintain required level of service.

RECOMMENDATION

Authorize the Executive Director to negotiate an interagency agreement with the Health and Welfare Agency Data Center for computer services during Fiscal Year 1991-92.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Contract Authority to Broadcast Video Training Tapes		Meeting Date January 17, 1991
Reviewed By Ken O'Brien <i>Kend</i>	Researched By Bill Masters	
Executive Director Approval <i>Thomas C. Beehun</i>	Date of Approval 12-31-90	Date of Report December 21, 1990
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission authorize the Executive Director to enter into an interagency agreement with San Diego State University for an amount not to exceed \$24,000, to assemble and broadcast four videotape training programs during fiscal year 1991/92.

BACKGROUND

At its April 1990 meeting, the Commission approved a \$24,000 contract with San Diego State University for four satellite broadcasts of videotape training programs during 1990/91. Two of the broadcasts have been completed with the remaining two scheduled for February 14 and May 16, 1991. The broadcasts are being recorded and used by law enforcement agencies for training of their personnel. Feedback from the field has been highly commendatory, and the Commission has been encouraged to continue this program.

ANALYSIS

Broadcasting of training programs via satellite has proven to be an effective method of delivery. Each 2-hour broadcast contains at least eight recently produced videotapes directed at the training needs of officers of varying assignments. Agencies having access to C-band satellite receive equipment can view and record these programs at little or no cost. Over 70 tapes have been presented via satellite since the program began in December of 1988. This method of distribution has greatly expanded the use of existing videotaped material and helped to improve the effectiveness of training programs overall.

RECOMMENDATION

It is recommended that the Executive Director be authorized to negotiate a new contract with San Diego State University for four satellite broadcasts.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title POST/DOJ Interagency Agreement for Training		Meeting Date January 17, 1991	
Bureau Training Delivery Svcs.	Reviewed By Ronald T. Allen	Researched By Lou Madeira	
Executive Director Approval <i>Morgan C. Behm</i>	Date of Approval 1-3-91	Date of Report January 2, 1991	
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No	

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUES:

The Commission and the Department of Justice Advanced Training Center have provided training to local law enforcement agencies during 1990-91 through an interagency Agreement.

The Department of Justice is agreeable to a continuation of this agreement during Fiscal Year 1991-92.

BACKGROUND:

The Department of Justice has been contracting with POST to provide training to local law enforcement agencies since 1974. During fiscal year 1990-91, the amount allocated to this training was \$870,933. for this amount the Department of Justice presented 21 separate courses.

The Department of Justice proposes to conduct a similar training program in Fiscal Year 1991-92, subject to adjustments required by the Commission and subject also to a similar financial commitment on the part of the Commission.

Staff recommends acceptance by the Commission and will analyze the proposal to ensure that it meets current needs and is within our cost guidelines prior to presentation for fiscal approval at the April Commission Meeting.

RECOMMENDATION:

Authorize the Executive Director to negotiate an Interagency Agreement with the Department of Justice for Fiscal Year 1991-92.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract for Administration of POST Public Safety Dispatcher Basic Training Equivalency Examination		Meeting Date January 17, 1991
Bureau Standards & Evaluation	Reviewed By <i>John C. Weiner</i>	Researched By John Weiner
Executive Director Approval <i>Merran C. Boelke</i>	Date of Approval 12-14-90	Date of Report December 13, 1990
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Continuation of the POST contract with Cooperative Personnel Services (CPS) to administer the POST Public Safety Dispatcher Basic Training Equivalency Examination.

BACKGROUND

Pursuant to Commission Procedure F-5, certain experienced public safety dispatchers may qualify for the POST Public Safety Dispatcher Certificate by passing the POST Public Safety Dispatcher Basic Training Equivalency Examination. POST contracted with CPS for administration of the examination during fiscal year 1990/91.

ANALYSIS

All contract services provided by CPS have been acceptable and POST lacks the staff to perform these services. The 1990/91 fiscal year contract amount is \$26,217.

The proposed contract for fiscal year 1991/92 is not expected to exceed \$14,300. The decrease is due to an anticipated reduction in testing volume as the number of dispatchers eligible for testing declines.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with CPS for administration of the POST Public Safety Dispatcher Basic Training Equivalency Examination during fiscal year 1991/92 for an amount not to exceed \$14,300.

Legislative Review Committee
Thursday, January 17, 1990

Meeting Agenda

9:00 a.m.

Attachment

1. Status of POST Legislation

- | | | |
|----|--|---|
| a. | POST Certificate Cancellation for
Misdemeanor Convictions | A |
| b. | Funding for Dispatcher Training from
911 Fund | B |
| c. | Three-Year Break in Service for P.C.
832 Course | C |
| d. | Technical Cleanup of P.C. 830.6 | D |
| e. | ACR 58 Follow-Up | E |

3. Other Pending Legislation

- | | |
|----|--|
| a. | Revised Composition of POST Commission -
PORAC |
| b. | Establishment of "New" POST for State
Agency Peace Officers - CAUSE & CCPOA |
| c. | Others |

PROPOSED POST CERTIFICATE CANCELLATION LEGISLATION

Penal Code Section 13510.1

- (a) The commission shall establish a certificate program for peace officers specified in Sections 13510 and 13522 and for the California Highway Patrol.
- (b) Basic, intermediate, advanced, supervisory, management, and executive certificates shall be established for the purpose of fostering professionalization, education, and experience necessary to adequately accomplish the general police service duties performed by peace officer members of city police departments, county sheriffs' departments, districts, university and state university and college departments, or by the California Highway Patrol.
- (c) Certificates shall be awarded on the basis of a combination of training, education, experience, and other prerequisites, as determined by the commission.
- (d) Persons who are determined by the commission to be eligible peace officers may make application for such certificates, provided they are employed by an agency which participates in the Peace Officer Standards and Training (POST) program.
- (e) Certificates remain the property of the commission and the commission shall have the power to cancel any certificate.
- (f) The commission shall cancel certificates issued to persons who have been convicted of, or entered a plea of guilty or nolo contendere to, a crime classified by statute or the Constitution as a felony or meets any of the disqualifiers under Government Code Section 1029 (a).
- (g) The commission may cancel certificates issued to persons who after January 1, 1992 have been convicted of, or entered a plea of guilty or nolo contendere to, a crime classified as a misdemeanor which involves moral turpitude. As used in this section, moral turpitude is defined as an act that is considered unlawful sexual behavior, abuse of authority, dishonesty associated with official duties, theft, or illegal narcotic activity.
- (h) The commission shall develop regulations to implement this section that shall (1) provide for persons to appeal a certificate cancellation for moral turpitude to the commission and (2) require the commission to examine an individual's circumstances surrounding each misdemeanor conviction involving moral turpitude.

Note: Underline indicates proposed new language.

PROPOSED LEGISLATION TO FUND THE TRAINING OF 911 DISPATCHERS

Revenue and Taxation Code Section 41135

All amounts required to be paid to the state under this part shall be paid to the board in the form of remittances payable to the State Board of Equalization of the State of California. The board shall transmit the payments to the State Treasurer with 94.8% to be deposited to the credit of the State Emergency Telephone Number Account in the General Fund and 5.2% to be deposited to the credit of the Peace Officers Training fund for the training of 911 dispatchers.

PROPOSED REVISION TO PENAL CODE SELECTION 832

832. Course of Training Prescribed by Commission on Peace Officer Standard and Training

(a) No change

(b) (1) Every such peace officer described in this chapter, ~~within 90 days following the date that he or she was first employed by any employing agency,~~ shall, prior to the exercise of the powers of a peace officer, have satisfactorily completed the course of training as described in subdivision (a).

(2) No change

(c) No change

(d) No change

(e) Any person completing the training as described in subdivision (a) who does not become employed as a peace officer within three years from the date of passing the examination described in subdivision (a) or who has a three-year or longer break in service as a peace officer must requalify. The means for requalification is passing the POST-developed or -approved examination described in subdivision (a).

(f) The Commission may charge appropriate fees for the examination not to exceed actual costs.

PROPOSED LEGISLATION CONCERNING RESERVE DEPUTY SHERIFFS
(Revision to Penal Code Section 830.6)

830.6. Reserve or auxiliary officer; deputy; regional park district; transit district; fish and game department; justice department special agent; person summoned to aid of uniformed officer

- (a) (1) Whenever any qualified person is duputized or appointed by the proper authority as a reserve or auxiliary sheriff or city police officer, a reserve deputy sheriff, a reserve police officer of a regional park district or of a transit district, or a reserve deputy of the Department of Fish and Game, or a reserve special agent of the Department of Justice, and is assigned specific police functions by that authority, the person is a peace officer; provided, the person qualifies as set forth in Section 832.6, and provided further, that the authority of the person as a peace officer shall extend only for the duration of the person's specific assignment. A transit district reserve officer may carry firearms only if authorized by, and under the terms and conditions as are specified by, his or her employing agency.

(2) No change

(b) No change

PROPOSED LEGISLATION AS FOLLOWUP TO ACR 58 (1968)

Add Penal Code Section 13508

Section 1. The Legislature acknowledges the results of a study by a committee specially convened and constituted by the Legislature to investigate the need for modern technology and facilities for law enforcement training pursuant to Assembly Concurrent Resolution 58 of 1989. The study concluded that: 1) the skills, knowledge and attitudes acquired by law enforcement officers through training has a profound impact upon the quality of living in California, 2) the training of California's law enforcement officers suffers from lack of availability of modern instructional technology and specialized training facilities and 3) the training of law enforcement officers could be greatly enhanced through technology and adequate facilities. The Legislature finds and declares that it is essential that the training of California's law enforcement officers must be afforded greater use of modern instructional technology and specialized training facilities.

Section 2.

- (a) The commission shall conduct pilot projects with regard to needed facilities and otherwise implement modern instructional technology to improve the effectiveness of law enforcement training. The sum of \$450,000 is hereby appropriated from the Peace Officer Training Fund to the commission for the 1991-92 fiscal year to establish a learning technology lab to implement this requirement.
- (b) Recognizing the limits of existing resources, the commission is directed to develop an implementation plan for the acquisition of law enforcement facilities and technology to include: 1) an evaluation of pilot and demonstration projects, 2) recommendations for the establishment of regional skills training centers, training conference centers, and use of modern instructional technology, and 3) a recommended financing structure. The commission shall report back to the Legislature by December 31, 1993. In developing the plan, the commission shall consult with appropriate law enforcement and training organizations.
- (c) The commission is empowered to enter into joint powers agreements with other governmental agencies for purposes of developing and deploying needed technology and facilities.
- (d) The technology to be incorporated into law enforcement training by the commission is exempt from the provisions of Government Code Section 11700-11772.

Section 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are: In order that law enforcement officers be provided the most effective training, it is necessary that this act take effect immediately.

Memorandum

Long Range Planning Committee

Date January 3, 1991

NORMAN C. BOEHM
Executive Director

From : Commission on Peace Officer Standards and Training

Subject: ACR 58 STUDY IMPLEMENTATION

The ACR 58 Study has been completed and the report is being prepared for distribution. Copies will be distributed to the required Chairpersons in the Legislature prior to January 15, 1991. Copies will then be distributed to all other legislators, all California law enforcement agencies, all POST certified course presenters, and others as appropriate. A video tape is also being completed to use in briefing legislators, trainers, and law enforcement managers and administrators.

The first step in the implementation of the ACR 58 Study is the introduction of the recommended bill in the Legislature. This is necessary to lay the foundation for future financial support.

Upon passage of the bill, POST will begin work on the statewide facilities assessment and funding plan. This study will include the need for skill development centers and funding projections and alternatives. The study should begin no later than July 1, 1991, assuming the bill has an emergency clause.

Also upon passage of the bill, steps will be taken to gain the necessary approval from the State to hire additional staff to create the Learning Technology Laboratory at POST. This is the unit that will be involved in advanced technology research, planning, support, and implementation.

Some of the ACR 58 technology applications and suggested programs have already been undertaken at POST, such as Interactive Video Disc courseware development and satellite delivery of training (distance learning).

- Interactive Video Disc/Computer Based Training

The Commission has already begun work in this area. The pioneering effort was the development of the PC 832 course. This course has been successful in reducing training hours where it has been used. Work on an IVD program for driver

successful in reducing training hours where it has been used. Work on an IVD program for driver training is ahead of schedule with delivery expected before the end of 1991. An RFP for first aid/CPR courseware will be issued during January and returned to the Commission for award in April.

Interactive Video courseware requires appropriate equipment be available so that trainees can access it individually without an instructor, or in small groups with an instructor. This requires both the hardware and an enthusiasm in using it. A number of certified P.C. 832 presenters have acquired the hardware, but more needs to be acquired both by trainers and departments.

While the P.C. 832 course meets level III reserve training requirements, the real IVD incentive for law enforcement agencies should come when the driver training and first aid/CPR courseware is available. Another project which may be of great benefit to law enforcement is a report writing tutorial. This is still a critical training topic, could lend itself well to the IVD/CBT media.

Beyond these projects, the near term IVD priorities lie in standardizing hardware requirements. POST must work to assure a high degree of confidence that when trainers and departments invest, their equipment will run both IVD and enhanced computer based training (CBT) courseware equally well - now and for some considerable time in the future.

At some point, especially as the Learning Technology Laboratory is established, POST will be in a position to begin working with law enforcement trainers on learning to develop its own IVD and CBT training programs. The media lends itself to teaching discrete concepts as modules, and is certainly not restricted to whole courses. These production skills can be learned and POST has opportunity to help teach them.

- Satellite Distance Learning

POST began distance learning pilot programs in 1988. Currently, POST uses the satellite to distribute training videos and has conducted training via satellite. Most recently, the Prop 115 Hearsay training and the CPOA legal update training were presented via satellite.

The future of distance learning promises a new generation of convenience and effectiveness for law enforcement. POST is exploring a number of issues including:

- The use of satellite broadcast for live interactive training, and use of the same vehicle for dissemination of programs to be taped and used later.
- The need for subject matter, instructional design, and instructional technology experts in distance learning development, presentation, and evaluation.
- Possible POST reimbursement for distance learning trainees at a level which would help agencies recover the cost of their distance learning arrangements (e.g. satellite dish). This would help assure each California department would have free access to all POST telecourses.
- Training support in the form of workbooks, quizzes, etc., which would be distributed to departments through their coordinators prior to training being presented.
- Under the proper circumstances, distance learning would be POST certified training and, when so designated, apply toward partial fulfillment of the Commission's Continuing Professional Training (CPT) requirements.
- Electronic updating training records for those who successfully complete a distance learning course.
- Interactivity features either through an 800# telephone network or through remote student response modules described in the ACR 58 report, to assure the trainee opportunity to be quizzed, ask questions, and be responded to.

A number of uses of the distance learning system have been talked about or easily come to mind. For example, roll call training programs could be developed and broadcast each week. These broadcasts could be sent directly to the departments with receive capability.

Legislatively mandated courses can continue to be sent out over the distance learning system. We have found that the discipline involved in developing a distance learning course actually compresses the time required to present it. By receiving training in their own facilities, not only could departments save the time

otherwise needed to send officers off-site, but the time of actual presentation would likely be less as well.

In the future, court decisions could be prepared in a distance learning format and sent out very promptly. This would be of great benefit to officers who now experience a lag of sometimes months before the information gets to them.

Not every broadcast needs to be designed to reach every officer. Indeed, some of the advantages of distance learning are in preparing telecourse instruction in specialty areas as investigation, DNA, SWAT, Traffic investigation, gangs, burglary, etc. While some of this instruction would require in-person classroom settings, substantial amounts can be telecoursed with great savings in travel time, and travel expenses.

There are a number of sources which can be drawn on to help produce a wide variety of telecourse topics. The reasoning of the ACR 58 study held that there should be relatively more investment in planning of training up front. The return on investment is the time saved in the presentation.

POST is looking forward to working with traditional presenters to adapt certain courses to distance learning. There appears to be ample opportunity in distance learning to organize resources for reaching more officers with more conveniently.

There are a number of other opportunities which may become possible using a distance learning system. These could include using the system to network experts in various departments in a training/information exchanging setting. Presentations on management and leadership topics and issues could adapt well to this approach.

Coordination with Office of Emergency Services both in emergency and mutual aid situations is a possibility being looked at. OES is seeking funding for satellite time, which could conceivably be used by POST in non-emergency periods.

Other key areas will be further assessed and work started as circumstances permit. These areas are:

ADVANCED TECHNOLOGY CLASSROOM

An Advanced Technology Classroom (ATC) design developed by IBM can be used initially. IBM and Sony expressed interest in working with POST to develop these "electronic

classrooms". Several agencies in both Northern and Southern California that are interested in working with POST to build or adapt, equip, and evaluate such classrooms. The exact arrangements, costs, designs, etc. will need to be worked out, but prospects appear bright that several ATCs can be developed as a demonstration project in the near future.

Advanced broadcast/receiving classrooms are similar to the ACT in technology, but with the added dimension of distance learning to specifically designed and equipped off-site classrooms. These classrooms can be utilized within a single training complex (as from one room to the next), or as part of a larger broadcast network (to substation, regions, or statewide). The experience gained in development of the ATC will be utilized in the future to develop these facilities.

LEARNING TECHNOLOGY LABORATORY

The Learning Technology Laboratory (LTL) is the proposed group at POST that will be totally enmeshed in advanced technology research and development. This unit will be staffed by additional personnel, including people with specific skills in instructional design, instructional technology and systems analysis that are currently not available. The LTL will serve as a standing resource to all agencies and presenters. It will be a catalyst to implement the vision of the ACR 58 report. This unit must be put together as soon as possible. This will require funding and appropriate approvals for the State control agencies. This is high priority, as it is the foundation research group to address many of the technology issues and programs identified here and in the ACR 58 Report.

SKILL DEVELOPMENT NEEDS STUDY

This is the "Phase 2" or additional study referred to in the ACR 58 Report, to determine exactly what skill development facilities are needed statewide, determine how many and where they should be located, and determine the potential cost and funding sources. This will be a major undertaking and should await passage of the legislation to be introduced as a result of the ACR 58 Study.

As we move into the next few years, more applications and programs will need to be developed, along with a number of prototype and demonstration projects suggested or recommended in the study. Inputs will be sought from the field and analysis completed to assure that what advanced technology applications are proposed are rooted in the needs of POST's client agencies and is technologically economically, and operationally sound. Even though the ACR 58 Study report is complete, there is considerable analysis which needs to be done regarding various operational alternatives and program costs.

Results of the implementation studies and specific program proposals will be brought before the Commission for decisions.

Commission on Peace Officer Standards and Training
Advisory Committee Meeting
January 16, 1991, 10 a.m.
Holiday Inn On-The-Bay
1355 North Harbor Drive
San Diego, CA

AGENDA

- | | | |
|----|--|---------------|
| A. | Call to Order and Roll Call | Chair |
| B. | Approval of Minutes of Previous Meeting | Chair |
| C. | Community College ADA Support of Inservice
Public Safety Courses Report | Staff |
| D. | Pre-Employment Drug Testing Report | Staff |
| E. | Cultural Awareness/Communications Training
Study Update | Staff |
| F. | ACR 58 Report and Video | Staff |
| G. | Review of Commission Agenda | Staff |
| H. | Advisory Committee Member Reports | Members |
| I. | Commission Liaison Committee Remarks | Commissioners |
| J. | Adjournment | Chair |



COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

POST Advisory Committee Meeting
October 31, 1990
Radisson Hotel
Sacramento, California

MINUTES

CALL TO ORDER

The meeting was called to order at 10:00 a.m. by Vice-Chairman John Clements.

ROLL CALL OF ADVISORY COMMITTEE MEMBERS

Present: Charles Brobeck, Calif. Police Chiefs' Assoc.
Cois Byrd, Calif. State Sheriffs' Assoc.
Jay Clark, Calif. Assoc. of Police Training Officers
John Clements, Calif. Highway Patrol
Donald Forkus, Calif. Peace Officers' Assoc.
Derald Hunt, Calif. Assoc. of Administration of Justice
Educators
Dolores Kan, Women Peace Officers' Assoc.
Marcel Leduc, Peace Officers' Research Assoc. of Calif.
Joe McKeown, Calif. Academy Directors' Assoc.
Carolyn Owens, Public Representative
Cecil Riley, Calif. Specialized Law Enforcement

Absent: Don Brown, Calif. Organization of Police and Sheriffs
Douglas Burris, California Community Colleges

Commission Advisory Liaison Committee Members present:

Commissioner Carm Grande
Commissioner Raquel Montenegro
Commissioner Alex Pantaleoni

POST staff present:

Norman Boehm, Executive Director
John Berner, Bureau Chief, Standards & Evaluation
Hal Snow, Assistant Executive Director
Darrell Stewart, Bureau Chief, Special Projects
Ken Whitman, Senior Consultant
Imogene Kauffman, Executive Secretary

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION - Forkus, second - Byrd, carried unanimously to approve the minutes of the July 18, 1990 meeting at the

Marriott Mission Valley Hotel in San Diego.

ANNOUNCEMENTS

Chief Forkus announced that Advisory Committee Member Captain Dolores Kan was honored in May by the Women Peace Officers' Association as the peace officer member of the Year.

EXECUTIVE DIRECTOR REMARKS

The Executive Director reviewed the November 1, 1990 Commission Agenda and responded to questions and discussion on the issues.

Following the discussion on the agenda item, "Report on the Potential Availability of Surplus Military Facilities for Law Enforcement Training", a motion was made:

MOTION - Byrd, second - Forkus, carried unanimously that a recommendation go to the Commission that the Advisory Committee favorably supports the continued efforts of POST in becoming a party to the joint proposal to obtain the "education complex" at Mather Airforce Base that is scheduled for closure in 1993.

A draft copy of the ACR 58 Report, which had been distributed to the Advisory Committee, was discussed, and the following action was taken:

MOTION - McKeown, second - Riley, carried unanimously that the Advisory Committee endorses the report and recommends that the ACR 58 Committee and staff be commended for an outstanding product.

STATUS OF STUDY ON COMMUNITY COLLEGE ADA SUPPORT OF IN-SERVICE PUBLIC SAFETY COURSE

The questionnaire, "Impact of Community College ADA Growth Cap," was reviewed, and the tentative results of a 65% response to date were reported. The final results will be analyzed and the full report and recommended action will be presented at the January 1991 Commission meeting.

STATUS OF PRE-EMPLOYMENT DRUG TESTING SURVEY

The "POST Survey of Local Agency Pre-Employment Drug Testing Policies and Practices", which had been disseminated to the field, was reviewed. It was reported that the responses are just starting to come back. They will be processed, and the final report will be presented at the January 1991 Commission meeting.

COMMISSION LIAISON COMMITTEE REPORT

Commissioners Grande and Montenegro complimented the Committee on the contributions made on the ACR 58 report and for their involvement.

ADVISORY COMMITTEE MEMBER REPORTS

Calif. Peace Officers' Association - Don Forkus reported that the CPOA All Committee Training Conference will be held December 9-12, 1990 at the Hyatt Regency in Monterey. He also reported that the eight regions CPOA established throughout the State a number of years ago are beginning to do some meaningful things. One is the identification of regional training needs. He suggested POST might be interested in looking into these findings.

Calif. Assoc. of Administration of Justice Educators - Derald Hunt reported that the CAAJE Annual Conference has been set for April 26-28, 1991 at the Embassy Suites Hotel in San Diego. CAAJE is working with the Community College Chancellor's Office for possible funding of a project which could be equally important to both POST and the colleges. One of its key objectives is to eliminate duplication of instruction between the Basic Academy and the two-year college A.A. Degree program and between two-year and four-year colleges. The premise being that the Basic Academy should continue to teach law enforcement tasks. The two-year college should be teaching criminal justice concept, and the four-year colleges should be teaching theory and systems. CAAJE's proposed study would pick up at this point by deleting from the A.A. Degree curriculum any tasks currently taught in the academy and replacing them with appropriate concepts.

Specialized Law Enforcement - Cecil Riley reported that CAUSE is having its conference the first week in November at the Hyatt at North Shore. It will be focused on the legal and legislative types of things.

Calif. Assoc. of Police Training Officers - Jay Clark reported on the annual conference at Lake Arrowhead at the Arrowhead Hilton on October 17-19. POST Commissioner Sheriff Lloyd Tidwell presented the welcome remarks by stressing the importance of the training role in all facets of law enforcement. He also encouraged the continuous efforts being made by CAPTO into the challenges of implementing the use of technology in training. CAPTO is in the process of implementing a computer-based bulletin board which will enable the membership to share information in a timely and orderly fashion.

Women Peace Officers' Assoc. of Calif. - Dolores Kan reported that the WPOA is conducting their fall training seminar during the week end of November 3-4 in Ontario. The focus will be on training for the street officer. A number of interesting workshops have been planned in the area of search warrant preparation and service; dealing with the media; and the FBI will

provide a training course on women terrorists. In addition, the organization has recently appointed a new executive director, and they are in the process of re-locating the Association's office.

Calif. Police Chiefs' Assoc. - Charles Brobeck reported that the CPCA will hold its annual conference in Anaheim the week of February 4-10, 1991. The specific workshops that are going to occur will be reported at the January meeting.

Peace Officers' Research Assoc. of California - Marcel Leduc stated that all the PORAC energies presently were on the upcoming election. The annual conference will be held in Reno November 9-11.

Calif. State Sheriffs' Assoc. - Cois Byrd reported that CSSA is getting ready for the newly elected sheriffs' training program in San Diego in December. There are about 20 new sheriffs that will be attending. He also reported on the new computer systems that have been acquired throughout his department, which includes a training control system. He reported that the department is going to work closely with the newly formed appointed sheriffs in Baja with the international crime problems. The CSSA is studying the booking fee issue and how it should be implemented.

Calif. Highway Patrol - John Clements shared a book from the CHP's top management training program in the area of ethics. It was titled "Characters and Cops - Ethics in Policing" and was recommended reading for all management.

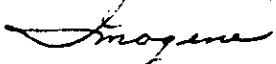
ELECTION OF OFFICERS FOR 1991

MOTION - Forkus, second - Brobeck, carried unanimously that Vice-Chairman John Clements be elevated to Chairman to the Advisory Committee for 1991.

MOTION - McKeown, second - Byrd, carried unanimously that Dolores Kan be elected to Vice-Chair to the Advisory Committee for 1991.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at one o'clock.


Imogene Kauffman
Executive Secretary